

# RUSSIA/CHECHNYA

## SWEPT UNDER:

### TORTURE, FORCED DISAPPEARANCES, AND EXTRAJUDICIAL KILLINGS DURING SWEEP OPERATIONS IN CHECHNYA

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## I. EXECUTIVE SUMMARY

The Russian government's plan was to normalize the situation in Chechnya by 2001: with most troops withdrawn and most internally displaced persons expected to return to their homes. The events of three weeks in late June and early July 2001 shattered these hopes and painfully illustrated just how far removed Chechnya remained from lasting peace.

Between June 15 and July 4, Russian troops conducted exceptionally harsh sweep operations in at least six villages in different parts of Chechnya. Troops rounded up several thousand Chechens, mostly without any form of due process, and took them to temporary military bases in or near the villages. According to eyewitnesses, soldiers extrajudicially executed at least eleven detainees, and at least two detainees "disappeared" in detention. Human Rights Watch interviewed twelve former detainees who gave detailed testimony of torture and ill-treatment, including electric shock, severe beatings, and being forced to remain in "stress positions." They said independently that dozens, if not hundreds, of other detainees had also faced torture and ill-treatment. Eyewitnesses also gave testimony about widespread extortion, looting, and destruction of civilian property.

The sweep operations—a culmination of over a year of official tolerance of "dirty war" tactics in Chechnya—further eroded what little trust Chechen civilians retained in Russian troops and government structures, and underscored once again that a return to normal life and lasting peace in Chechnya is only possible if the Russian government takes effective steps to reign in its troops and remedy abuses. Hundreds of people fled border areas into Ingushetia in the aftermath of the sweeps and thousands of internally displaced persons already in Ingushetia were strengthened in their conviction that Russian troops made their safe return home to Chechnya impossible. Local officials, teachers, and other Chechens striving to return to a semblance of normalcy saw their efforts grossly undermined. As a teacher from Assinovskaia put it:

Our school held on due to the efforts of the teachers, the students, and their parents. They worked, despite the real dangers. We received anonymous threats demanding that we close the school. Our wounds, caused by two wars, only just started to heal because we were thinking about the future. How are we going to restore the lost trust?<sup>1</sup>

The sweeps, however, did not come out of the blue. They occurred against the background of a highly volatile security situation and continuing serious abuses by both sides to the conflict. Between November 2000 and April 2001, Chechen rebel forces operated throughout Chechnya, clashing with federal troops, carrying out bomb attacks on federal positions, assassinating Chechens seen as cooperating with the Russian government, and kidnapping a foreign aid worker in broad daylight. Russian forces responded to this rebel activity with the occasional use of heavy weaponry and frequent large-scale, targeted sweep operations, during which numerous civilians were killed, tortured, ill-treated and "disappeared."

To address the persistent cycle of abuse, Human Rights Watch is calling on the Russian government to investigate promptly and impartially all allegations of violations of international human rights and humanitarian law committed during the sweep operations and to swiftly prosecute those found responsible. The government should fulfill the requirements of U.N. Human Rights Commission Resolution 2001/24 of April 20, 2001, by establishing an independent national commission of inquiry into abuses and by allowing relevant U.N. special mechanisms to visit Chechnya. The government should prevent further violations by undertaking a number of measures. It should, for example, put all forces in Chechnya on notice that noncompliance with international human rights and humanitarian principles will not go unpunished. To prevent "disappearances," Russian forces should immediately cease the practice of secret detention and make public regularly updated data on the numbers of arrested and charged for security-related crimes in Chechnya.

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<sup>1</sup> Letter from Medina Gudieva, director of school no. 1 in Assinovskaia, to Nazarbek Terkhoev, the head of the local administration, dated July 6, 2001.

In its recommendations to the international community, Human Rights Watch is calling for the establishment of an international commission of inquiry to monitor, investigate and publicize violations of international human rights and humanitarian law in Chechnya and make compliance with U.N. Resolution 2001/24 a key element for cooperation in their relations with Russia. Human Rights Watch additionally calls on the United Nations, the Council of Europe, and the Organization for Security and Cooperation in Europe to make full use of their respective mandates and mechanisms to establish an official record of abuses committed during the armed conflict in Chechnya and hold the Russian government to obligations for an effective accountability process.

## II. BACKGROUND

The second armed conflict in Chechnya in less than a decade broke out after Chechen rebel forces invaded neighboring Dagestan in August 1999 and, in September, bomb explosions in apartment buildings in Moscow and elsewhere in Russia killed almost 300 people. Quickly blaming these attacks on Chechen forces, Russia launched a military campaign—officially dubbed an anti-terrorist operation—in Chechnya. In subsequent months, Russian planes and artillery subjected Chechen villages and towns to intense bombardment and shelling, causing the deaths of thousands of civilians.<sup>2</sup>

By the spring of 2000, Russian troops had established nominal control over most of Chechnya and large-scale hostilities ceased. As Russian troops moved further into Chechen territory, they conducted numerous so-called sweep operations to seek out rebel fighters and ammunition depots in villages and towns, often arbitrarily detaining large numbers of Chechen civilians along with captured fighters, and beating and torturing them in detention. Subsequent months marked the gradual transition from a conventional military operation into a classical "dirty war," where the targeting of civilians and not the taking or defense of territory are the hallmarks.

As Russian troops pursued their "dirty war" in Chechnya, Nikolai Koshman, a deputy prime minister of the Russian Federation and the temporary civilian leader of Chechnya, started setting up new administrative and law enforcement structures, and tried to revamp the defunct educational system. The Russian government appointed loyal Chechens to head local administrations and, in June 2000, appointed Akhmad Kadyrov, a Chechen religious leader, as the head of the administration for all of Chechnya. In January 2001, Kadyrov appointed a former head of the Stavropol region in southern Russia, Stanislav Iliasov, as prime minister of Chechnya and asked him to form a new Chechen government.

Eager to convince an increasingly skeptical domestic public and a critical international community that the war was over, Russian government agencies sought to implement measures traditionally associated with the end of armed conflict in the first half of 2001. They announced a new military strategy that involved small-scale operations against specific rebel leaders, a significant cutback in troops, and the return of the Chechen government to Chechnya's capital, Grozny. They also actively sought the return of internally displaced persons from neighboring Ingushetia to Chechnya. However, the republic's harsh realities—with a continuing "dirty war" against civilians by Russian troops, increasingly bold and abusive rebel tactics, and a complete lack of trust in Russian government agencies among civilians—quickly proved these measures premature.

In January 2001, President Vladimir Putin told his government in a televised meeting that the armed forces had "completed their main tasks" in Chechnya. Announcing the partial withdrawal of troops, he handed control in Chechnya to the Federal Security Service (FSB), which has to continue the operation "with the use of different means and forces and with a different emphasis."<sup>3</sup> A spokesman clarified that the FSB had been tasked to conduct "special operations to search for and neutralize the ringleaders of the bandit formations and their adherents."<sup>4</sup>

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<sup>2</sup> Physicians for Human Rights, "Endless Brutality. War Crimes in Chechnya," *A Physicians for Human Rights Report*, May 2001.

<sup>3</sup> The decision to hand control over the operation to the FSB was formalized in presidential decree No. 61 of January 22, 2001.

<sup>4</sup> Sarah Karush, "Putin hands Chechnya war to FSB," *Moscow Times*, January 23, 2001.

In February, Russian and Chechen government officials announced that they sought the return of all internally displaced persons (IDPs) to Chechnya before the end of the year.<sup>5</sup> They said conditions were being created for Chechens to return, including temporary settlements for the displaced in various towns and villages in Chechnya. A few months later, in April 2001, the pro-Russian government of Chechnya announced that it would move its seat from Chechnya's second city Gudermes back to the capital Grozny, calling this a "symbolic event" that was to promote "stabilization."<sup>6</sup>

Most of the announced changes, however, appeared to be dictated by the need for a new public relations offensive and took little account of Chechen realities. As Chechen rebel attacks on Russian positions and assassinations of Chechen administrators continued unabated, the scheduled withdrawal of Russian troops ceased before it truly started. Federal forces, meanwhile, continued to conduct large-scale sweep operations that were no less abusive than those in earlier months. In such circumstances, most internally displaced persons—aware of the continuing abuses and guerrilla warfare—decided to await an improved security situation before returning home. Daily security incidents in Grozny forced the Chechen government to move its seat back to Gudermes after only two weeks in the capital.

### III. LATE 2000 AND EARLY 2001

#### Clashes and Attacks

The events in Chechnya of late 2000 and early 2001 reveal the grim dynamics of a republic<sup>7</sup> entrenched in a bloody guerrilla war and suggest neither a quick resolution of the conflict, nor a reduction in abuses committed by both sides. Between November 2000 and April 2001, Chechen rebel forces operated actively throughout Chechnya, engaging in armed clashes with federal troops, carrying out bomb attacks on federal positions, assassinating Chechens seen as cooperating with the Russian government, and kidnapping a foreign aid worker. Russian forces responded to this rebel activity with the occasional use of heavy weaponry and frequent large-scale and targeted sweep operations, during which numerous civilians were killed, tortured, ill-treated, and "disappeared."

From November 2000 to April 2001, armed clashes, ambushes, and bomb attacks occurred on an almost daily basis, and media, quoting military and Chechen sources, frequently reported multiple attacks on one single day.<sup>8</sup> For example, on December 5, the Russian Military News Agency reported that rebel forces had carried out twenty-six attacks on army and police units within the previous twenty-four hours. The agency quoted a spokesman for the Russian forces as saying that Russian troops had effected nine strikes on rebel formations in that period.<sup>9</sup> The Associated Press, quoting members of the Chechen administration, reported twenty-seven attacks within twenty-four hours on December 16, twenty-five attacks on January 10, and nineteen attacks on

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<sup>5</sup> RTR news, "Vladimir Elagin: Today We Need to Return Displaced Persons to Chechnya," January 31, 2001; Interfax news agency, "Vladimir Elagin: Return of Displaced People to Chechnya Before End of Year – Difficult But Achievable Task," February 6, 2001; RIA Novosti news agency, "Stanislav Iliasov: Before End of Year the Tent Camps Must Disappear, Displaced Returned to Chechnya," February 26, 2001.

<sup>6</sup> "Russian-backed government inaugurates headquarters in Chechen capital," Associated Press, April 23, 2001.

<sup>7</sup> Chechnya is one of the constituent republics of the Russian Federation and is known officially as the Republic of Chechnya. During the years of defacto independence between August 1996 and late 1999, the Chechen leadership referred to Chechnya as the Chechen Republic of Ichkeria.

<sup>8</sup> It is difficult to assess the reliability of these figures. On the one hand, the Russian and Chechen governments are eager to convince the public that the situation in Chechnya is normalizing. They therefore have a vested interest in understating the frequency of armed clashes and attacks. On the other hand, military officials may have a vested interest in overstating the number of clashes and attacks to justify their continuing presence in Chechnya. Official figures published by the Russian federal authorities are also problematic: those regarding casualties rates among Russian soldiers are widely believed to be significantly understated, those on rebel losses overstated.

<sup>9</sup> "Chechen Rebels Conduct 26 Attacks on Federal Troops Since Sunday," Military News Agency, December 5, 2000.

January 20.<sup>10</sup> In mid-February, the Military News Agency, quoting military officials, reported 111 attacks on positions of Russian army and police units within one week. It said seventy-one of the attacks occurred in Grozny.<sup>11</sup> Itar-Tass, also quoting military officials, reported forty-six attacks on February 23.<sup>12</sup> Interfax news agency, once again quoting military officials, reported that throughout the course of one week in mid-March Russian positions came under attack almost 200 times.<sup>13</sup>

Reported casualty rates among Russian soldiers during those months ranged between fifty and eighty soldiers and police officers per month. As far as Human Rights Watch has been able to establish, media, quoting Russian military officials or sources in the Chechen administration, reported the deaths of at least sixty-three soldiers or police officers in November 2000; sixty-six in December; fifty-eight in January 2001; seventy-two in February; eighty-three in March; and more than sixty-five in April.<sup>14</sup> Reliable figures on the number of casualties among rebel fighters and civilians are unavailable.

During late 2000 and early 2001, gunmen widely presumed to belong to Chechen rebel forces assassinated, or attempted to assassinate, numerous Chechens who cooperated with the Russian government. Chechen rebel forces issued statements at various times demanding that Chechens working in the administration leave their posts or “face the consequences.” In November 2000, Associated Press reported that rebel fighters had shown a copy of a letter that was to be delivered to Chechens working in local administrations. According to the news report, the letter stated: “National traitors are responsible for our difficulties. Those who work for the occupants, leave your posts within 24 hours. This is the last warning.”<sup>15</sup> In a letter to Human Rights Watch, Aslan Maskhadov, the leader of the Chechen rebels and president of the self-proclaimed Chechen Republic of Ichkeria, denied issuing an order to assassinate Chechens who voluntarily cooperate with the Russian government. He stated, however, that he considered such Chechens to be guilty of treason and did not rule out that some of his fighters may have committed some “isolated abuses” against them, “perhaps in the heat of the battle or from the desire to seek vengeance that stems from rage and loss.”<sup>16</sup> Despite these denials of involvement in the killings of civilian administrators, it is widely believed that rebel forces have been behind many of the killings.

Between November 2000 and April 2001, gunmen assassinated the mayors of three villages, as well as four deputy heads of administration, including the deputy head of the administration of Chechnya.<sup>17</sup> They also carried out eight attempts on the lives of heads of administration, including the head of the Chechen administration, Akhmad Kadyrov, and Gudermes mayor Malika Gazimieva. In December 2000, gunmen beat I. Idrisov, the head of administration of Gekhi, only to murder him six months later. Gunmen also assassinated three imams (Muslim religious leaders) and reportedly kidnapped the chair of the Committee for Religious Affairs of Chechnya, Visrudi

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<sup>10</sup> “Russian soldiers killed in Chechnya,” Associated Press, December 16, 2000; “Chechen rebels kill 19 Russian soldiers,” Associated Press, January 10, 2001; Yuri Bagrov, “Five Russian Servicemen Die,” Associated Press, January 20, 2001.

<sup>11</sup> “Rebels Attack Army, Police Positions 111 Times in Chechnya Last Week,” Military News Agency, February 12, 2001.

<sup>12</sup> “Rebels Kill Three Federal Soldiers in Chechnya,” Itar-Tass, February 24, 2001.

<sup>13</sup> Interfax news agency, cited in “Chechen Rebels Step Up Mining Campaign,” Agence France Presse, March 12, 2001.

<sup>14</sup> These figures are based on press reports and are by no means exhaustive. The count includes deaths of military servicemen, members of special police forces, FSB personnel, and Chechen police officers that were reported to Western and Russian news agencies by spokespersons of the Russian federal forces or members of the administration of Chechnya. No use was made of figures provided by spokespersons of the Chechen rebels.

<sup>15</sup> “Chechen president orders removal of all pro-Moscow mayors,” Associated Press, November 26, 2001.

<sup>16</sup> Letter from Aslan Maskhadov to Holly Cartner, then executive director of the Europe and Central Asia Division of Human Rights Watch, dated May 28, 2001. Human Rights Watch also met with Ilias Akhmadov, the foreign minister of the Chechen Republic of Ichkeria, on April 3, 2001. He also denied any involvement by Chechen forces under Maskhadov’s command in the killings of Chechens who cooperate with the Russian government.

<sup>17</sup> Yusha Tsuev, the head of administration of Alkhan-Kala was killed on November 9, 2000; Sharami Dudagov, the head of administration of Mesker-Yurt was killed on November 17, 2000, as was his deputy, Khasmagomed Tsumtsaev; Adam Kasumov, deputy head of administration of the Kurchaloi district was killed on January 25, 2001; L. Timirgeriev, the head of administration of Agish-Batai, was killed on February 14, 2001; Larisa Movsarova, deputy head of the administration of Kulary was killed on April 8, 2001; Adam Deniev, first deputy head of the administration of Chechnya was killed on April 13, 2001.

Shirdiev.<sup>18</sup> They also killed the head of the Council of Elders of Argun and several lower-ranking employees of the administration of Chechnya in Urus-Martan and Alkhan-Kala.

On January 9, 2001, a group of armed and masked men kidnapped Kenneth Gluck, a foreign aid worker for the international medical relief organization Médecins sans Frontières (MSF). The men stopped the humanitarian convoy outside the town of Starye Atagi, about twenty kilometers south of Grozny, forced Gluck to switch cars, and drove off. The attack happened in broad daylight in a town that Russian forces claimed to have controlled since late January 2000. Gluck was held hostage in or near Starye Atagi for three weeks, and then released. His captors gave Gluck a letter signed by rebel leader Shamil Basaev containing an apology: according to the letter, which was later posted on a pro-rebel website, the kidnap had been a “mistake.”<sup>19</sup>

Russian troops responded to the attacks against its forces and rebel murders of civilians with large-scale and targeted sweep operations, and sporadically with heavy arms. During sweep operations, Russian troops continued to perpetrate violations of human rights that included numerous extrajudicial executions, “disappearances,” torture and ill-treatment, arbitrary detentions, destruction of civilian property, and extortion. For example:

- On November 26, Russian troops conducted a sweep operation on the central market in Grozny in response to several attacks on Russian soldiers there. The troops destroyed the market and confiscated goods from shops. They also detained several people, including at least two men who subsequently “disappeared.”<sup>20</sup>
- Following the kidnap of MSF worker Kenneth Gluck on January 9, 2001, Russian troops conducted a sweep operation in Starye and Novye Atagi during which at least twenty-one Chechens were detained. Three of the detainees subsequently “disappeared” and the bodies of two others turned up twelve days later at a local rock quarry.<sup>21</sup> Seven villagers suffered gunshot wounds when soldiers opened fire on a group of women who tried to prevent the detention of a disabled man. One of the women died on the spot.<sup>22</sup>
- In mid-March, troops conducted a sweep in Argun. Eleven of those detained subsequently “disappeared.” The bodies of four men turned up several weeks later in a village not far from Argun. All four men had been shot through the head.<sup>23</sup>

### **The Announced Withdrawal of Troops**

Against the background of this highly volatile security situation in Chechnya, President Vladimir Putin ordered the partial withdrawal of troops on January 22, 2001. A Russian news agency quoted President Putin as saying that eventually the permanent troops stationed in Chechnya would consist of only a 15,000-man Defense Ministry division (the 42<sup>nd</sup> Motorized Division) and 7,000 troops and police from the Interior Ministry.<sup>24</sup> The president, however, did not provide any schedule for the withdrawal. A few weeks later, Valerii Manilov, first

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<sup>18</sup> Imam Kh. Adaev from Gudermes was killed on November 20, 2000; Imam Khasmagomed Umalatov from Urus-Martan was killed on January 7, 2001; and Imam Magomed Khasuev from Germenchuk was killed on January 9, 2001. Shirdiev “disappeared” in mid-February 2001. He resurfaced a week later under unclear circumstances with signs of beatings. He had been held in a basement. “Missing Chechen Official Turns Up,” Interfax news agency, cited in BBC Monitoring, February 22, 2001.

<sup>19</sup> The letter was posted on [www.kavkaz.org/news/2001/03/12/news1/htm](http://www.kavkaz.org/news/2001/03/12/news1/htm), accessed November 29, 2001.

<sup>20</sup> For the “disappearance” of Jabrail Aslakhanov, see: Human Rights Watch, “The ‘Dirty War’ in Chechnya: Forced Disappearances, Torture, and Summary Executions,” *A Human Rights Watch Report*, vol.13, no.1(D), March 2001.

<sup>21</sup> Ibid, pp 8-9.

<sup>22</sup> Memorial documented this incident extensively. The materials can be found at: <http://www.memo.ru/hr/hotpoints/northkavkaz.htm>

<sup>23</sup> Human Rights Watch interview with Marita Batsieva, Nazran, Ingushetia, July 8, 2001.

<sup>24</sup> [www.ntvru.com/russia/29jan2001/yas.html](http://www.ntvru.com/russia/29jan2001/yas.html) or [www.lenta.ru/vojna/2001/01/22/putin/](http://www.lenta.ru/vojna/2001/01/22/putin/), accessed November 29, 2001.

deputy chief of Russia's general staff, told Interfax news agency that the troop presence in Chechnya would, for the moment, be reduced to approximately 50,000 men.<sup>25</sup>

Dwindling domestic support for the military campaign in Chechnya appeared to be a key reason for the withdrawal plan. Opinion polls conducted throughout 2000 and in early 2001 showed a sharp decline in public support for the operation in Chechnya. For example, according to figures published by VTsIOM (All-Russian Center for the Study of Public Opinion, a leading social research center in Moscow) in early March 2001, only 21 percent of the Russian population believed the war in Chechnya could be completed successfully (down from 45 percent in December 1999) whereas 35 percent believed the conflict would become drawn out and could spill over into other regions. VTsIOM's polls also showed that, after September 2000 the majority of the Russian population preferred peace talks to continued military action in Chechnya.<sup>26</sup>

In early 2001, around 80,000 troops from a variety of ministries were based in Chechnya.<sup>27</sup> The command center set up for the Chechnya operation, called the United Group of Forces (in Russian, *Obedinennaiia gruppировka voisk*), coordinated the operations of these troops. The main Russian military base in Chechnya was located near the village of Khankala, a few kilometers east of Grozny.

On February 15, 2001, Manilov announced that a plan and schedule for withdrawing excess troops had been sent to the relevant officials for implementation.<sup>28</sup> He provided few details but emphasized that the withdrawal would be gradual.<sup>29</sup> In subsequent weeks, Interfax news agency reported more details of the plan, quoting unnamed military officials, who said the reduction would primarily affect the Ministry of Defense troops.<sup>30</sup> The number of Interior Ministry troops and police would remain "almost unchanged" while the Federal Security Service grouping was to be reinforced. The same sources were further quoted as saying that the Ministry of Defense troops that did not belong to the North Caucasus Military District were to be withdrawn first of all.<sup>31</sup>

In mid-March, Russian television started broadcasting a series of departure ceremonies as army units started to leave Chechnya. On March 13, the first unit, a motor-rifle brigade from the Siberian Military District, left Chechnya. The departure of units of the Moscow Military District began on March 20, and during the next two-and-a-half weeks 1,200 troops left Chechnya.<sup>32</sup> In mid-April, the first airborne troops, a 300-man paratrooper battalion of the 31<sup>st</sup> Airborne Brigade, were withdrawn.

As the withdrawal of troops continued, however, Russian officials seemed to revise their initial plan. In mid-April, during a visit to Khankala military base in Chechnya, President Putin stated that Russia was currently only withdrawing "excessive units." According to Putin, "The federal military component will be reduced as appropriate conditions are created."<sup>33</sup>

In early May 2001, Defense Minister Sergei Ivanov announced that his ministry had ended the withdrawal of its troops from Chechnya. According to Ivanov, about 5,000 servicemen—25,000 troops short of the target

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<sup>25</sup> "Valerii Manilov: The Number of Federal Troops After Reduction will be 50,000 Men," Interfax, February 6, 2001.

<sup>26</sup> [www.polit.ru:8083/documents/438733.html](http://www.polit.ru:8083/documents/438733.html), accessed November 29, 2001.

<sup>27</sup> About 50 percent of these troops belonged to the Ministry of Defense. The rest consisted of Ministry of Interior troops, security agents, special forces, and police. "Russia to Start Withdrawing Troops from Chechnya in March," Associated Press, March 8, 2001.

<sup>28</sup> "Russia Ready to Cut Troops in Chechnya," Reuters, February 15, 2001.

<sup>29</sup> Ibid.

<sup>30</sup> "Russian Military Say Troops Withdrawal not to Worsen Situation in Chechnya," Interfax news agency, cited in BBC Monitoring, March 13, 2001.

<sup>31</sup> The United Forces Group, as Russia's forces in Chechnya are formally called, are made up mainly of Ministry of Defense forces, interior and police troops of the Ministry of Internal Affairs Forces, and Federal Security Service troops. They all function under one command system.

<sup>32</sup> "Moscow Military District Servicemen Leave Chechnya," AVN military news agency, cited in BBC Monitoring, April 6, 2001.

<sup>33</sup> "Putin says no full pullout from Chechnya," Itar-Tass news agency, cited in BBC Monitoring, April 14, 2001.



announced by Valerii Manilov three months earlier and only about 5 percent of all Russian troops in the region—had left Chechnya.<sup>34</sup> Ivanov added that the Ministry of Defense had no plans for further withdrawals.

Only about one month after Ivanov announced the early end to the troop reduction, the Russian Interior Ministry said it considered dispatching additional soldiers to the republic. On June 4, Interior Minister Boris Gryzlov told the press that he wanted to send another 1,000 to 1,500 soldiers to Grozny to reinforce a 6,500-man Ministry of Interior operational brigade there.<sup>35</sup>

In November 2001, military officials announced that most Russian troops in Chechnya would be withdrawn in the spring of 2002. Gen. Gennadi Troshev, the commander of the North Caucasus Military District, told Interfax news agency that “all Russian federal armed units currently in Chechnya, except for those stationed there on a permanent basis, will be withdrawn from the republic by next spring.”<sup>36</sup>

#### **IV. THE RETURN OF THE CHECHEN GOVERNMENT TO GROZNY**

After repeatedly announcing and then suspending plans to move the seat of the Chechen government from Gudermes to the Chechen capital, the government opened its new headquarters in central Grozny on April 23. According to press reports, the administration had already held one meeting in Grozny the previous week and was expected to complete the move within a week.<sup>37</sup> The press also reported that several ranks of federal troops circled the administration building during the opening ceremony and that snipers were positioned on the roofs of adjacent buildings.<sup>38</sup> Earlier that day, a radio-controlled mine had reportedly exploded a few hundred meters from the building, killing four Russian servicemen and wounding several others.<sup>39</sup>

On May 5, less than two weeks after the move, Nikolai Patrushev, the head of the Federal Security Service, announced that the Chechen government was temporarily returning to Gudermes. He told the media that “conditions for the government’s safe work in Grozny have not yet been created.”<sup>40</sup> It remained unclear what security incidents in particular led to this decision. As of November 2001, the Chechen administration remained in Gudermes.

#### **V. THE RETURN OF INTERNALLY DISPLACED PERSONS (IDPS)**

The Chechen conflict has displaced more than 200,000 people, almost 150,000 of whom lived in Ingushetia in late 2000.<sup>41</sup> Starting in January 2001, Russian and Chechen government officials have insisted that the IDPs in Ingushetia should return home before the end of the year. In May, Chechen government officials even pushed this deadline forward to late June. Throughout the first half of the year, government agencies used both legitimate and unacceptable methods to encourage IDPs to return to Chechnya. On the one hand, the Chechen government prepared temporary settlements in Chechnya for those unable to return to their own homes, offered transportation to those willing to return, and actively recruited returnees. On the other, the federal government implemented several measures that appeared primarily aimed at making IDPs feel less comfortable and secure in Ingushetia, chiefly by tinkering with access to food supplies and ending registration of new IDPs. Despite all these efforts,

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<sup>34</sup> Ivanov was unclear about the exact figure. He said that “nearly 5,000 servicemen, even more than that” had been withdrawn from Chechnya.” “Russian defense minister says 5000 troops pulled out of Chechnya,” *Russia TV*, cited in BBC Monitoring, May 4, 2001.

<sup>35</sup> “Russian minister says federal forces’ numbers in Chechnya may increase,” Interfax, cited in BBC Monitoring, June 4, 2001.

<sup>36</sup> Interfax, November 12, 2001, cited in BBC Monitoring.

<sup>37</sup> “Russian-backed government inaugurates headquarters in Chechen capital,” Associated Press, April 23, 2001.

<sup>38</sup> Ibid.

<sup>39</sup> Ibid.

<sup>40</sup> Yuri Bagrov, “Kremlin-backed administration leaving violent Chechen capital,” Associated Press, May 5, 2001.

<sup>41</sup> Figures were provided by the Danish Refugee Council.

only a small trickle of IDPs returned to Chechnya, and most appeared determined to stay in Ingushetia for the foreseeable future.

On January 31, following a meeting with humanitarian organizations, Vladimir Elagin, Russia's government minister responsible for Chechnya, stated that "our main task is for civilian life to squeeze out military life." He said that the return of the IDPs from Ingushetia was as a necessary part of this process.<sup>42</sup> A week later, the minister said the federal and Chechen government would aim to have all IDPs return to Chechnya before the end of 2001, saying this was a "difficult but achievable task."<sup>43</sup>

Both Elagin and Chechen Prime Minister Stanislav Iliasov were vague as to how exactly they would achieve the objective but seemed to believe that most IDPs would return of their own free will. Elagin said: "The budgetary funds sent [to Chechnya] for specific projects and investments from other sources will allow for the reestablishment of the housing fund. Then residents will return themselves."<sup>44</sup> Iliasov said that "if the economy picks up, employment opportunities will be created, compensation for loss of housing and property will be paid out, people will return to Chechnya themselves."<sup>45</sup>

The Chechen government made significant efforts to prepare temporary accommodation for those IDPs who wanted to return to Chechnya but could not return to their own homes. In March, Iliasov said preparations had been made to receive some 60,000 IDPs.<sup>46</sup> In late May, a spokesperson for Iliasov stated that seven temporary settlements had been built, including two that were recently finished in Argun. She said another ten centers would be ready in the near future in Grozny, providing room for about 15,000 IDPs.<sup>47</sup> The spokesperson emphasized that these facilities were houses and not tents. An employee of a nongovernmental humanitarian organization confirmed that two facilities in former kindergartens in Argun had been reconstructed.<sup>48</sup>

In late May, as the policy of gentle encouragement failed to produce tangible results, the Chechen government took a more aggressive line. It announced that all IDPs in Ingushetia were to return to Chechnya before the end of June or lose the right to government humanitarian aid. A spokesperson for the Chechen prime minister told the Russian daily newspaper *Kommersant* that "those who do not move by the end of June will no longer get any aid in July, as they will no longer be considered as temporarily displaced people."<sup>49</sup>

### **Encouraging IDPs to return**

In April, officials of the Committee for Internally Displaced Persons' Affairs of the Chechen government arrived in Ingushetia to recruit IDPs for return. The leadership of the IDP camp in Karabulak told Human Rights Watch the officials spent about two weeks in the camp going from tent to tent trying to convince people to return to Chechnya.<sup>50</sup> The officials found just over ninety IDPs from the Karabulak camp willing to return to Chechnya. On April 28 and 29, these IDPs left Ingushetia in buses in two installments. The majority of them were taken to a temporary IDP settlement in Argun (see below).<sup>51</sup> According to Chechen officials, many more IDPs returned to

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<sup>42</sup> "Vladimir Elagin: Today We Need to Return Displaced Persons to Chechnya," RTR news, January 31, 2001, at 15:00.

<sup>43</sup> "Vladimir Elagin: Return of Displaced People to Chechnya Before End of Year – Difficult But Achievable Task," Interfax news agency, February 6, 2001.

<sup>44</sup> Ibid.

<sup>45</sup> "Stanislav Iliasov: Before End of Year the Tent Camps Must Disappear, Displaced Returned to Chechnya," RIA Novosti news agency, February 26, 2001.

<sup>46</sup> Itar-Tass news agency, cited in BBC Monitoring, March 28, 2001.

<sup>47</sup> RIA Novosti news agency, cited in BBC Monitoring, May 26, 2001.

<sup>48</sup> Human Rights Watch interview, Nazran, Ingushetia, June 28, 2001

<sup>49</sup> Musa Muradov, "Chechnya Collects Refugees," *Kommersant*, May 29, 2001.

<sup>50</sup> Human Rights Watch interview with various camp officials, Karabulak, Ingushetia, June 28, 2001.

<sup>51</sup> Others were reported to have returned to their own homes in Chechnya.

Chechnya from Ingushetia in late April. RIA Novosti quoted the head of the Committee for IDP Affairs on April 24 as saying that 183 IDPs had returned to Chechnya and that 300 more were going back in the next few days.<sup>52</sup>

When Human Rights Watch visited Ingushetia in June, an official of the Chechen Ministry for the Federation had replaced the officials of the Committee for IDP Affairs. The official, who asked not to be named, told Human Rights Watch his task was primarily to facilitate the return to Chechnya for those IDPs who wished to go but not to actively press for return.<sup>53</sup> He said he had put up posters in various camps and settlements in Ingushetia containing information on return options for those interested. The official said that few IDPs were willing to return to Chechnya at that moment.

### ***Food Ration Insecurity***

In May 2001, IDPs in Ingushetia faced insecurity over food rations as the Russian government attempted to make IDPs uncomfortable as a means of indirectly pressuring them to go home.<sup>54</sup>

Throughout 2000, the Russian federal government failed to fulfill its obligation to feed those displaced by the war in Chechnya. As a result of ongoing conflicts over finances between the federal government and the authorities in Ingushetia, government-sponsored hot meal and bread supplies to IDPs were highly unpredictable: supplies would stop when the Ingush government could no longer pay its debts to bakeries and other suppliers, and started up again when the federal Ministry of Finance transferred new funds to the authorities in Ingushetia. According to one humanitarian aid worker, however, international humanitarian organizations ensured sufficient food rations to IDPs throughout 2000.<sup>55</sup>

In late April 2001, Vladimir Kuksa, the Ingush minister for emergency situations, informed international humanitarian organizations that the Russian federal government would start delivering food aid to IDPs in camps and spontaneous settlements in Ingushetia and requested them to stop their food aid programs at these locations.<sup>56</sup> As of May 1, 2001, international humanitarian organizations stopped providing food aid to the camps and settlements, but the Russian federal government failed to live up to its promises. On May 21, Minister Kuksa requested that the international humanitarian organizations resume their food aid programs in the camps and settlements.

### ***Registration of new IDPs***

As of April 1, 2001, the Russian government instructed the Ingush migration authorities not to register any new IDPs from Chechnya. The Ministry for National and Migration Policies, however, maintained in a letter to

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<sup>52</sup> “182 [sic] pereselentsa vernulis iz Ingushetiu v Chechniu v tsentr vremennogo razmeshchenia,” RIA Novosti, April 24, 2001.

<sup>53</sup> Human Rights Watch interview with a Chechen official who asked to remain anonymous, Karabulak, Ingushetia, June 28, 2001.

<sup>54</sup> The apparent manipulation of food aid to indirectly pressure IDPs to return contravenes those aspects of the U.N. Guiding Principles on Internal Displacement that guarantee humanitarian assistance. Principle 3 states: “National authorities have the primary duty and responsibility to provide protection and humanitarian assistance to internally displaced persons within their jurisdiction.” Principle 18 (2) states: “At the minimum, . . . competent authorities shall provide internally displaced persons with and ensure safe access to: (a) Essential food and potable water; (b) Basic shelter and housing; (c) Appropriate clothing; and (d) Essential medical services and sanitation.”

<sup>55</sup> Human Rights Watch interview with a humanitarian aid worker who requested to remain anonymous, Moscow, February 4, 2002.

<sup>56</sup> The request was based on a decision of the Government of the Russian Federation of March 3, 2001, No. 163, “On Financing Expenditures on Meals and Life-Support of Individuals Temporarily Displaced from the Places of Residence on the Territory of the Chechen Republic and Stationed in Temporary Accommodation Facilities on the Territory of the Russian Federation; and Expenditures on the Transportation of Such Individuals and Their Belongings to the Places of Residence on the Territory of the Chechen Republic.” The decision envisages, among others, that in 2001 the federal government will pay for the acquisition and delivery of food to IDPs, for providing temporary accommodation to certain IDPs, for ensuring maintenance of temporary accommodation facilities, and for the return of IDPs to their place of permanent residence in Chechnya.

State Duma Deputy Viacheslav Igrunov that the ministry never issued any instructions to discontinue registering new IDPs from Chechnya.<sup>57</sup> The failure to register IDPs, whether the result of a policy decision or a matter of practice, violates principle 20 of the U.N. Guiding Principles on Internal Displacement.<sup>58</sup>

Some of the people who returned to Chechnya in April came back to Ingushetia shortly thereafter and sought to register again as IDPs, citing dangerous conditions at home. On April 28 and 29, two groups of IDPs left the camp in Karabulak for temporary accommodation in Argun. However, according to the leadership of the camp, after about one week twelve of the IDPs were back in Ingushetia saying it was too dangerous in Chechnya.<sup>59</sup> These IDPs had to register with the migration service in Ingushetia again but were turned down due to the ban on registering new IDPs. Consequently, the camp in Karabulak was unable to provide them with living space. According to the camp leadership, the displaced returnees lingered at the camp for about a month, probably staying with relatives or acquaintances, and then simply slipped out of sight.

Human Rights Watch researchers unsuccessfully tried to track down some of these IDPs in order to get first hand accounts of the events that had prompted them to leave Chechnya again. The sister-in-law and daughter of two of the displaced told Human Rights Watch that, after unsuccessfully trying to reregister in Ingushetia, their relatives had seen no other option but to go back to Chechnya.<sup>60</sup> Human Rights Watch was unable to verify exactly what had happened in Argun although several secondary sources stated that on the day one of the groups of IDPs arrived a mine had exploded near the place of temporary settlement and that Russian troops had conducted a sweep operation.<sup>61</sup>

### Actual Return of IDPs

Despite the attempts by the Russian government agencies to use carrot and stick measures to encourage IDPs to return to Chechnya, as of October 2001, 146,278 registered IDPs from Chechnya remained in Ingushetia.<sup>62</sup> A Human Rights Watch survey among IDPs in Ingushetia showed that the overwhelming majority had no immediate plans to return home, preferring to wait for the security situation to improve.

In July 2001, Human Rights Watch conducted a survey among 232 IDPs from various camps, spontaneous settlements, and the private sector regarding their feelings about return. Only thirteen respondents said they had concrete plans to return to Chechnya. Nineteen said they did not want to return at all. The remaining 200 said they eventually wanted to return to Chechnya but currently had no plans to do so, overwhelmingly citing a perceived risk to life and health as the primary reason. One hundred ninety-six of these respondents cited these risks as the most important or second most important reason for not returning. They also cited other reasons for not returning at that time: the loss of their homes was cited as an important reason (seventy-one participants), as was the unclear future of Chechnya (approximately two-thirds). About one-third also cited psychological trauma due to

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<sup>57</sup> In a letter to Duma Deputy Viacheslav Igrunov, dated July 12, 2001, a representative of the Ministry for National and Migration Policies maintained that the ministry never issued any instructions to discontinue registering newly arriving IDPs from Chechnya. This letter is on file at Human Rights Watch. Attempts by Human Rights Watch to obtain a copy of this instruction in Ingushetia were unsuccessful; while some officials in Ingushetia acknowledged having seen the instruction, others denied its existence.

<sup>58</sup> Principle 20 states: "1. Every human being has the right to recognition everywhere as a person before the law. 2. To give effect to this right for internally displaced persons, the authorities concerned shall issue to them all documents necessary for the enjoyment and exercise of their legal rights, such as passports, personal identification documents, birth certificates and marriage certificates. In particular, the authorities shall facilitate the issuance of new documents or the replacement of documents lost in the course of displacement, without imposing reasonable conditions, such as requiring the return to one's area of habitual residence in order to obtain these or other required documents."

<sup>59</sup> Human Rights Watch interview with the camp leadership, Karabulak, Ingushetia, June 28, 2001.

<sup>60</sup> Human Rights Watch interviews with "Malika Azieva" and "Zeinap Zubaeva" (not the women's real names), Karabulak, Ingushetia, June 28, 2001.

<sup>61</sup> Human Rights Watch interview with "Zina Chueva" (not her real name), Nazran, Ingushetia, June 28, 2001; Human Rights Watch interview with the camp leadership, Karabulak, Ingushetia, June 28, 2001; Yevgenia Borisova, "Scared Refugees Regret Returning Home," *Moscow Times*, April 27, 2001.

<sup>62</sup> In January 2001, the number was 146,782. Figures provided by the Danish Refugee Council.

losses suffered during the war as an important obstacle to return. Interestingly, very few of the displaced cited the lack of infrastructure, employment opportunities or properly functioning schools as reasons for not returning.

## VI. THE ALKHAN-KALA SWEEP (JUNE 19-25, 2001)

Alkhan-Kala is a mid-sized town of approximately 20,000 inhabitants about five kilometers west of Grozny. Russian troops took control of the town in late November 1999. The security situation in Alkhan-Kala has been tense since then and numerous human rights abuses by rebel forces and Russian troops have been reported.

In January 2000, groups of Chechen rebel fighters entered the town on two occasions. Early that month, rebel fighters briefly took the town after a surprise attack on Russian troops, but Russian soldiers forced the rebels out within days. In late January, several groups of rebel fighters, many wounded after walking through a minefield, flooded the town during an escape from Grozny. The fighters almost immediately moved on toward the mountains in southern Chechnya.

During the next eighteen months, members of the rebel group led by Arbi Baraev—a rebel commander believed to have been involved in numerous kidnappings and a native to Alkhan-Kala—remained active in the town despite the presence of Russian troops. His group was widely believed to be responsible for the murders of several Chechens who worked in the pro-Russian administration of the town. In November 2000, gunmen assassinated Yusha Tsuev, the Russian-appointed head of administration of Alkhan-Kala. In December 2000, gunmen shot Zura Kalieva and her husband Ruslan Utsaev; Kalieva had worked in the town administration. In July 2001, gunmen shot Ramzan Gatsaev, the new head of administration.<sup>63</sup>

The town was also the scene of the killing of a journalist, whose attackers' identities were less clear. On November 21, 2000, unidentified gunmen speaking Chechen shot twenty-four-year-old freelance journalist Adam Tepsurkaev during a nighttime attack on the house where he was staying. Tepsurkaev had previously applied to the United States government for political asylum, as he feared being arrested or killed by Russian forces in retaliation for extensive video footage he had taken of Russian soldiers abusing Chechen civilians. Several months earlier, Russian soldiers had detained and tortured Tepsurkaev's younger brother, demanding that Adam Tepsurkaev turn himself in.

Russian troops conducted repeated large-scale sweep operations and detained numerous inhabitants of the town. Many detainees eventually released said they had been tortured. More than a dozen have “disappeared,” while the bodies of several others were found in unmarked graves. On August 14, 2000, Russian soldiers conducted a sweep operation in Alkhan-Kala and detained several dozen men. Eight of the detainees were transferred to Khankala military base that same day. “Magomed Musaev” (not his real name) told Human Rights Watch he was tortured on a daily basis for a week before his relatives paid military officials for his release.<sup>64</sup> Three of the other detainees were also bought out. The four remaining detainees, however, were not released. In February 2001, the body of Saikhan Askhabov, one of the four men, was found in a mass grave near Khankala military base.<sup>65</sup> In April 2001, Russian soldiers conducted another large-scale sweep in the course of which eleven men who were detained subsequently “disappeared.” The body of the one of the men was found several weeks later just outside Alkhan-Kala. In May, during another sweep operation, drunken soldiers looted houses and destroyed civilian property.

These events set the stage for the operation on June 19-25, 2001.

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<sup>63</sup> This assassination was widely believed to be retaliation for the June 19-25 sweep operation, described below.

<sup>64</sup> Human Rights Watch interview with “Magomed Musaev” (not his real name), Nazran, Ingushetia, June 30, 2001.

<sup>65</sup> Human Rights Watch, “Burying the Evidence: The Botched Investigation into a Mass Grave in Chechnya,” *A Human Rights Watch Report*, vol. 13, No. 3(D), May 2001, p.12.

## Chronology

The most extensive and severe military sweep in Alkhan-Kala started in the late morning of June 19 when large numbers of Russian troops entered the town. Officials did not publicly state a reason for the sweep, although it led to the death of rebel leader Arbi Baraev. The troops left the town almost a week later, on June 25, after conducting countless passport checks and detaining hundreds of men. They also engaged at least two confrontations with armed rebels, one of which led to the death of Baraev.

### June 19, 2001

At around 9:00 a.m., Russian troops entered Alkhan Kala in force from the air and on the ground. Forty-two-year-old “Suleiman Zubaev” (not his real name), who lives in the eastern part of Alkhan-Kala, told Human Rights Watch that that morning a “whole armada of helicopters” came into the town.<sup>66</sup> Zubaev watched from his courtyard as several helicopters landed in different places in the town and saw how armed paratroopers jumped out and blocked the streets. He said large numbers of APCs (Armored Personnel Carriers) and tanks entered the town at the same time. Other eyewitnesses gave similar accounts of the events. For example, forty-six-year-old “Aset Murdalova” (not her real name) had gone out that morning to buy meat when the helicopters arrived. She said, “Everyone was running home because of the helicopters. They knew something would happen.”<sup>67</sup> Murdalova herself also hurried home.

Several witnesses told Human Rights Watch that the troops that entered Alkhan-Kala that morning were brought in from military bases at Khankala, Urus-Martan, and Tolstoi-Yurt. The troops set up their base at the military commander's office in town.<sup>68</sup> The witnesses said the OMON troops (riot police) normally based in the town, with whom the town's inhabitants apparently enjoyed good relations, did not participate in the passport checks or the military operations.<sup>69</sup>

Soldiers started checking streets and houses that same day. According to several eyewitnesses, they detained a number of men during passport checks, as well as several men who tried to enter the town that afternoon. Most detainees were apparently released that same evening without signs of ill-treatment. However, the corpses of three detainees who were not released that night were found about a week later in a well (see below).

Numerous checks were conducted that first day. Fifty-eight-year-old Akhmed Dubaev, who returned to Alkhan-Kala from a day's work at around 5:00 p.m., told Human Rights Watch soldiers stopped him and a group of others several times as he walked from the edge of the town to his home. When crossing the main road of Alkhan-Kala, “they stopped us, checked [our identity papers], checked with lists [of wanted persons], carefully checked our bags, and then let us go. We went on another one hundred meters when the same procedure happened again.”<sup>70</sup> However, Dubaev had no complaints about offensive language, manhandling, or maltreatment by the soldiers.

“Elmira Bakaeva” had traveled to Grozny on June 19 and returned to Alkhan-Kala in the afternoon. She also had to walk from the edge of the town to her home. On the way home, she and some others encountered a group of soldiers checking houses. She said: “There was machine-gun fire, they were detaining people, shooting under the legs of people.”<sup>71</sup> The soldiers refused to let Bakaeva walk home via the road she chose. She eventually reached her home safely via a different route.

Several eyewitnesses reported that people were detained during checks and brought to the military commander's office. For example, Akhmed Dubaev said that when he came back to Alkhan-Kala that afternoon

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<sup>66</sup> Human Rights Watch interview with “Suleiman Zubaev” (not his real name), Nazran, Ingushetia, June 30, 2001.

<sup>67</sup> Human Rights Watch interview with “Aset Murdalova” (not her real name), Nazran, Ingushetia, July 11, 2001.

<sup>68</sup> The military commander's office was set up in a large private home with extensive grounds in western Alkhan-Kala.

<sup>69</sup> OMON, *Otriad militsii osobogo naznachenia*, is a type of special police force under the jurisdiction of the Interior Ministry.

<sup>70</sup> Human Rights Watch interview with Akhmed Dubaev, Sputnik refugee camp, Ingushetia, June 29, 2001.

<sup>71</sup> Human Rights Watch interview with “Elmira Bakaeva” (not her real name), Nazran, Ingushetia, July 2, 2001.

by bus, troops had closed the entry roads for vehicles.<sup>72</sup> The soldiers told him and his fellow passengers to exit. The soldiers then detained the bus driver but allowed all passengers—about eighteen women and two men in their fifties—to walk to their homes in Alkhan-Kala. Dubaev did not know what happened to the bus driver. Forty-seven-year-old “Zina Yandieva” told Human Rights Watch that her husband was detained when he returned to Alkhan-Kala by car.<sup>73</sup> Soldiers took him to the military commander’s office and released him the next day. Yandieva did not complain to Human Rights Watch about his treatment in detention. By most accounts, almost all detainees were released unharmed that same evening.

### **June 20**

Russian troops continued to conduct passport checks on day two of the sweep. They detained an unknown number of men, most of whom were apparently released the same evening. Human Rights Watch was unable to interview any of these detainees. According to Elmira Bakaeva, the deterioration of the soldiers’ attitude toward the civilian population had begun on June 20.<sup>74</sup> She said they started checking homes that morning, approaching houses, including hers, from two sides to ensure nobody could escape from the courtyard, and ordered the inhabitants to go inside. She said the soldiers used offensive language and torched an abandoned shed and house between Pervomaiskaia Street and Oktyabrskia Street. When the soldiers had left, neighbors tried to save the house by removing its flammable roof. On the other hand, “Aset Murdalova” (not her real name), who lives on Lenin Street, said the soldiers who checked her house that day were polite.<sup>75</sup>

### **June 21**

On the third day of the operation, Russian troops and Chechen rebel forces clashed in central Alkhan-Kala, leaving at least six people dead. During that battle, Russian troops detained two young men who subsequently “disappeared” (see below) and burned and plundered several houses. Russian troops also continued to conduct ordinary passport checks that day in other parts of Alkhan-Kala.

Witnesses on Partizanskaia Street in central Alkhan-Kala say government shelling began after military vehicles passed by.<sup>76</sup> Aset Murdalova, who lives on Lenin Street a few blocks away, said: “There were planes circling in the air... I was watching from the street and I could see the pilots and everything. They were flying so low, I thought the roofs would blow off.”<sup>77</sup>

Shortly after, soldiers entered the houses of both Khadisht Vitaeva and “Zina Yandieva,” two residents of the neighborhood. Vitaeva told Human Rights Watch that her house does not have a basement and that she, her husband, his friend, her child, and three nephews and nieces had decided to seek shelter in a neighbor’s basement.

We were about to leave and get out of the house with the children when I saw the first soldiers standing there. They were offensive, and we were forced to go back inside. We put the children underneath the beds.... We found a place to hide near the oven.<sup>78</sup>

Later, the soldiers detained Vitaeva’s husband and his friend (see below) and forced her, her child, and three nephews and nieces to leave her courtyard. When Vitaeva later returned, her house was burning and she found many of her belongings spread out in the courtyard and on the road. Among other things, she found photos and photo albums down in a well. Zina Yandieva also said she saw Vitaeva’s house burning. She told Human Rights Watch: “I ran over to that house but there was no one there and everything was burning.”<sup>79</sup>

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<sup>72</sup> Human Rights Watch interview with Akhmed Dubaev, Sputnik refugee camp, Ingushetia, June 29, 2001.

<sup>73</sup> Human rights Watch interview with “Zina Yandieva” (not her real name), Nazran, Ingushetia, July 14, 2001.

<sup>74</sup> Human Rights Watch interview with “Elmira Bakaeva” (not her real name), Nazran, Ingushetia, July 2, 2001.

<sup>75</sup> Human Rights Watch interview with “Aset Murdalova” (not her real name), Nazran, Ingushetia, July 11, 2001.

<sup>76</sup> Human rights Watch interview with “Zina Yandieva” (not her real name), Nazran, Ingushetia, July 14, 2001; Human Rights Watch interview with Khadisht Vitaeva, Nazran, Ingushetia, July 14, 2001.

<sup>77</sup> Human Rights Watch interview with “Aset Murdalova” (not her real name), Nazran, Ingushetia, July 11, 2001.

<sup>78</sup> Human Rights Watch interview with Khadisht Vitaeva, Nazran, Ingushetia, July 14, 2001.

<sup>79</sup> Human rights Watch interview with “Zina Yandieva” (not her real name), Nazran, Ingushetia, July 14, 2001.

Yandieva, who was at home with her disabled husband and their daughter, said that soon after the battle broke out thirty soldiers came into their house and forced them to lie down on the ground.

If we moved, they would shoot. When they got out of the room I got up, and through a hole in the curtains I looked out and saw APCs and [other military] vehicles. Snipers had aimed their weapons in our direction. Then I heard the sound of cows crying; they were wounded.<sup>80</sup>

Yandieva said the soldiers came back to the house some time later and asked for the basement. When shown the basement, they dropped a grenade into it. She said that soldiers also drove an APC into her courtyard and wrecked and then set alight a little summer kitchen in her garden. She also saw soldiers shooting from helicopters apparently at random, killing Yandieva's neighbors' six cows. When the APC drove away from her house, she said, it opened fire on a house on the corner of Lenin Street for no apparent reason. Neighbors later extinguished the resulting fire in the house.<sup>81</sup>

The battle with armed rebels lasted until approximately 5:00 p.m.

Human Rights Watch has information that six men, possibly combatants, died during the fighting on and around Partizanskaia Street. None of the eyewitnesses Human Rights Watch researchers spoke to were able or willing to identify the dead. Some of them were said to have been from other villages. In the absence of further evidence it is impossible to establish whether the deaths of these people were the result of lawful acts of war or constitute violations of international humanitarian law.

Zina Yandieva saw the bodies when she went outside following the check at her house. She said: "I saw dead bodies on the APC, on top of the tank and elsewhere. Some of them were lying on the ground. Then they threw them on the tank..."<sup>82</sup> The bodies were taken away on the APC to the military commander's office. The next day, Yandieva went to the military commander's office to look for a relative who was detained during the battle (see below), military officials acknowledged to her that there were six corpses in the military commander's office.

Suleiman Zubaev, an inhabitant of Alkhan-Kala, told Human Rights Watch that, at the request of relatives of the deceased, he helped transport the bodies to the cemetery for temporary burial.<sup>83</sup> However, Zubaev said that when he got to the military commander's office at around 2:00 p.m. on June 22, he saw a total of eight bodies there. He identified the additional bodies as those of Daud Vitaev and Rustam Razhepov but did not identify any of the other men. Zubaev said the bodies lay in a row on the street. Six of them were completely naked, one was dressed in a camouflage uniform, and one in sports clothes. He said he saw rope on the legs of each of the dead men and assumed they had been pulled behind a vehicle for transportation. According to Zubaev, some of the bodies were grossly disfigured, and the imprints of military vehicle tires were visible on some. With the military's permission, Zubaev and several other men took the bodies to the cemetery, where they were temporarily buried in a collective pit.<sup>84</sup>

## **June 22**

Russian troops on June 22 fought with members of Arbi Baraev's group near Sovkhoznaia Street, apparently killing two of Baraev's men and detaining another (see below); Baraev himself was wounded. Russian soldiers also continued to check passports and detain men. Many of the men detained that day later complained of torture (see below).

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<sup>80</sup> Ibid.

<sup>81</sup> Ibid.

<sup>82</sup> Ibid.

<sup>83</sup> Human Rights Watch interview with "Suleiman Zubaev" (not his real name), Nazran, Ingushetia, June 30, 2001.

<sup>84</sup> Article 8 of Protocol II to the Geneva Conventions prohibits the despoiling of the dead and provides that they be decently disposed of.



According to various accounts, the soldiers' attitude had deteriorated significantly after the armed clashes. Elmira Bakaeva said the soldiers were now looting, torching houses, and killing chickens and ducks for food on a large scale.<sup>85</sup> She said people on her street, near Pervomaiskaia Street, were not even allowed to go to their neighbors, so "going out to help someone was impossible."

At approximately 11:00 a.m., soldiers with a big attack dog kicked open the door of Aset Murdalova's house. The soldiers, one of whom Murdalova described as "half undressed, with a scarf on his head," checked the house, the basement, and the other buildings in the courtyard. They called Murdalova a "bitch" and threatened to shoot her goat. One soldier pulled a one-hundred ruble note from her bra.<sup>86</sup> In the evening, soldiers came to the house of fifteen-year-old "Nura Kalieva" and asked her if there were any men in the house.<sup>87</sup> When she replied in the negative, the soldiers asked her about her age and made sexual insinuations. Kalieva went into her house to her grandmother. When they realized there were other people in the home, the soldiers left, threatening to come back later. After the incident, Kalieva's relatives moved her to Ingushetia.

Elmira Bakaeva was at her home near Pervomaiskaia Street when she heard machine gun fire at the intersection of Sovkhoznaia and Stepnaia Streets. She said that shortly after, APCs started driving through, the soldiers yelling, "faster, faster." Bakaeva said neighbors saw soldiers take a captive man from one of the homes on Stepnaia Street, believed to be Bisan Khasaev (see below), who they drove away in an ambulance.

Subsequently, military vehicles started arriving and took up positions.<sup>88</sup> A thirty-minute battle then ensued between government troops and rebel forces. Bakaeva said the APCs and tanks, including one right near her house, started shooting at a house on the corner of Sovkhoznaia and Stepnaia Streets; the house went up in flames. According to Bakaeva, the soldiers targeted only that specific house—apparently because Baraev and his group were hiding there—and the houses in the neighborhood did not suffer significantly. She also believed no civilians were killed during the battle.<sup>89</sup>

Russian soldiers recovered two dead bodies from the house. Bakaeva said they started cheering "Hooray, hooray," in the apparent belief that they had killed Arbi Baraev. Later, however, it transpired that Baraev's body was not among those recovered from the house. Bakaeva said she believed Baraev had been wounded at the house but had somehow managed to hide and thus avoided being taken into custody.<sup>90</sup>

### **June 23**

Russian troops continued to hunt for Arbi Baraev on June 23, detaining numerous men without giving a reason. Many of the men later complained of severe beatings and torture (see below).

According to Elmira Bakaeva, military vehicles started driving around the village at about 4:00 a.m. With the neighborhood where she was staying closed off, soldiers began checking homes at around 7 a.m. Bakaeva said different groups of soldiers checked the house where she was staying five or six times. She said the soldiers took all of the men, pulled their shirts over their heads and gathered them at the school where they were made to lie face down on the ground.<sup>91</sup> She also said the soldiers set alight the house next to where she was staying and shot up the ceiling and walls for no apparent reason.

Bakaeva and another eyewitness said a family that lived near the scene of the battle the previous day was detained.<sup>92</sup> She said the soldiers took an elderly man, his son and three grandchildren, as well as the son's mother-

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<sup>85</sup> Human Rights Watch interview with "Elmira Bakaeva" (not her real name), Nazran, Ingushetia, July 2, 2001.

<sup>86</sup> Human Rights Watch interview with "Aset Murdalova" (not her real name), Nazran, Ingushetia, July 11, 2001.

<sup>87</sup> Human Rights Watch interview with "Nura Kalieva," (not her real name), Tsatsita refugee camp, Ingushetia, July 3, 2001.

<sup>88</sup> Human Rights Watch interview with "Elmira Bakaeva" (not her real name), Nazran, Ingushetia, July 2, 2001.

<sup>89</sup> Ibid.

<sup>90</sup> Ibid.

<sup>91</sup> Ibid.

<sup>92</sup> Ibid. Human Rights Watch interview with "Aminat Estamirova" (not her real name), Nazran, Ingushetia, July 9, 2001.

in-law. According to Bakaeva, who spoke to the family after their release, the soldiers had beaten them all, including the woman, and tortured them with electric shocks. The other witness gave a slightly different account of events, saying that the elderly man and his two sons were taken to Khankala where they were severely beaten while the female relative was beaten at her home.<sup>93</sup> The soldiers had accused them of hiding Baraev. The family was released only after the soldiers discovered Baraev's body on June 24.

#### ***June 24***

Soldiers continued to detain men indiscriminately on June 24. Many of these men later complained of severe beatings and torture (see below). Also on June 24, the Russian troops transferred a group of thirty-four civilian detainees to the main base of the Russian troops at Khankala. Some of these detainees were apparently transported that same day from Khankala to a detention facility at the town of Goriacheistochenskaia. The troops released those remaining detainees held in the military commander's office in Alkhan-Kala.

#### ***June 25***

Russian troops wrapped up their operation and left Alkhan-Kala. The relatives of those who had been detained but not released started looking for their loved ones. Then and subsequently, some relatives paid bribes to Russian soldiers to ensure the release of their loved ones from Khankala military base and the town of Goriacheistochenskaia (see below), while others discovered their dead bodies in makeshift graves in and around the town.

### **VIII. EXTRAJUDICIAL EXECUTIONS**

Human Rights Watch received convincing evidence that Russian troops summarily executed at least six men after first detaining them. The organization has notified the Russian government of each of these cases but as of early December 2001 had not received any information regarding a possible investigation into the executions. International law strictly prohibits all forms of extrajudicial execution.

#### **Detention and Extrajudicial Execution of Rustam Razhepov and Daud Vitaev**

Russian soldiers detained Rustam Razhepov and Daud Vitaev on June 21 at the home of the Vitaevs. Their relatives found their dead bodies in a makeshift grave several days after the sweep operation ended.

Razhepov and Vitaev were at Daud Vitaev's house at 33 Partizanskaia Street on June 21, when the battle between Russian troops and Chechen rebel forces broke out. As soon as the shelling stopped, a large number of Russian soldiers climbed over the fence. According to Khadisht Vitaeva, Daud's wife, the soldiers pushed Vitaev and Razhepov out of the house and forced them to lay face down on the ground as they checked their documents.<sup>94</sup> Vitaeva's assertions of their innocence produced abuse from the soldiers: "[I told them] they were innocent. They pushed and punched me back."<sup>95</sup>

As the two men were lying in the courtyard, the soldiers forced Vitaeva and the children out at gunpoint. She went into the street yelling, "Don't shoot, don't shoot!" as, she said, there were snipers there. She took the children to the house of her brother-in-law, seven courtyards further along the same street.<sup>96</sup>

Once the battle was over, Vitaeva and Zina Yandieva, a relative of Rustam Razhepov, started a search for their loved ones. Yandieva ran up to some soldiers on an APC near Vitaeva's house and asked them where the two men were. In response, she told Human Rights Watch, "They started maligning me, saying 'Bitch, we don't have them.'"<sup>97</sup> Then, according to Yandieva:

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<sup>93</sup> Human Rights Watch interview with "Leila Larsanova" (not her real name), Sleptsovsk, Ingushetia, July 1, 2001.

<sup>94</sup> Human Rights Watch interview with Khadisht Vitaeva, Nazran, Ingushetia, July 14, 2001.

<sup>95</sup> Ibid.

<sup>96</sup> Ibid.

<sup>97</sup> Ibid.

So then, barefoot, we ran to the military commander's office. I gave the [deputy] commander their surnames. He took their names. Two or three hours later, he said: "These surnames are not on the list." Then they released two guys from the commander's office. They had been beaten. We ran up to each guy and asked them if Razhepov and Vitaev were with them in the basement [of the military commander's office]. They said that Russian soldiers had asked for these two names when they were in the basement [but that they were not there].<sup>98</sup>

The women spent the next few days standing outside the military commander's office waiting. On July 24, however, they were told all remaining detainees had been taken to the Khankala military base. The women then traveled there—an unsuccessful trip from which they returned on June 26 or 27, to learn that the bodies of Daud Vitaev and Rustam Razhepov had been found. Villagers had gone to the cemetery that day to excavate the pit in which eight bodies had been buried on June 22. Relatives of the two men had positively identified them.<sup>99</sup>

Neither woman saw the bodies, but they were told by relatives that both were severely disfigured and not easy to identify. Razhepov reportedly was identified by the color of his eyes and hair, his trousers and a pack of cigarettes that his mother had seen in his pocket when he left his house to visit the Vitaevs.<sup>100</sup> Yandieva said she had saved the shoes her relative had been wearing, which were very bloody. Vitaeva said she knew her husband had been beaten as she spoke to people who witnessed him being beaten on a military vehicle.<sup>101</sup>

### **The Detention and Execution of Ruslan Davletukaev, Elman Bazaev and Musa Amirov**

Russian soldiers apparently detained Ruslan Davletukaev (twenty-one years old), Elman Bazaev (around twenty), and Musa Amirov (around twenty) in the center of Alkhan-Kala on June 19. Their relatives found their dead bodies one week later in a dry well.

Human Rights Watch was unable to establish the exact circumstances of the detention of the three men. According to Davletukaev's mother, who was not in Alkhan-Kala on June 19, they were together in the center of town when soldiers detained them.<sup>102</sup> Another witness, "Aminat Estamirova" (not her real name), said the men were detained while praying in a courtyard but was unable to provide any further details.<sup>103</sup> However, Estamirova said several men who were released from the military commander's office that night confirmed that Davletukaev, Bazaev, and Amirov were at the office and said they had been beaten severely.

Zura Davletukaeva returned to Alkhan-Kala on June 21 but found it encircled and sealed off. She and her sister-in-law were only able to enter the town on foot. This was when Davletukaeva found out about her son's detention.<sup>104</sup> The following morning, she went to the military commander's office, together with the head of the local administration and members of the council of elders. The soldiers initially denied Davletukaev and the others were at the military commander's office but later promised they would look into their cases once more. At around midnight, the soldiers said no one else would be released that day, and Davletukaeva went home.<sup>105</sup>

In the next few days, Davletukaeva received some confirmation that her son was still in detention. On June 24, Davletukaeva said, she received information from an unofficial Russian source that her son and his friends were in the hands of the Federal Security Service (FSB) and were in bad condition. Davletukaeva and a group of relatives of other detainees traveled to Khankala military base that day, and Davletukaeva was told that a criminal

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<sup>98</sup> Ibid.

<sup>99</sup> Human Rights Watch interviews with "Zina Yandieva" (not her real name) and Khadisht Vitaeva, Nazran, Ingushetia, July 14, 2001.

<sup>100</sup> Ibid.

<sup>101</sup> Human Rights Watch interview with Khadisht Vitaeva, Nazran, Ingushetia, July 14, 2001.

<sup>102</sup> Human Rights Watch interview with Zura Davletukaeva, Nazran, Ingushetia, July 12, 2001.

<sup>103</sup> Human Rights Watch interview with "Aminat Estamirova" (not her real name), Nazran, Ingushetia, July 9, 2001.

<sup>104</sup> Human Rights Watch interview with Zura Davletukaeva, Nazran, Ingushetia, July 12, 2001.

<sup>105</sup> Ibid.

case had been opened against her son. But Davletukaeva was unable to establish where he was being held and exactly by whom.<sup>106</sup>

In subsequent days, Davletukaeva and relatives of other detainees also traveled to Goriacheistochenskaia, the administrative center of the region in Chechnya to which Alkhan-Kala belongs, but were unable to meet with the prosecutor for the region. In desperation, twelve women then went to Grozny and in protest blocked a road, demanding meetings with representatives of the government of Chechnya. According to Davletukaeva, OMON troops were then called in to remove the women from the road.<sup>107</sup>

By July 1, the three young men were still missing. According to Davletukaeva, she and the relatives of the other young men suspected that the bodies of their relatives might have been thrown into a dry well near the military commander's office. The well, which was not in use, had been covered with a slab of concrete. Some of the detainees who were released from the military commander's office had told Davletukaeva and the other relatives that at one point they had heard an explosion from the direction of the well and that soldiers had told them: "Did you hear this, we blew up your scum [friends]."<sup>108</sup>

Davletukaeva said she spoke to the Russian units based in Alkhan-Kala about lifting the concrete cover and tried to arrange for a crane to do so. As the Russian units would not help them, the relatives started digging out the well themselves. According to Davletukaeva, Musa Amirov's remains were found on July 2. Two days later, on July 4, the remains of Elman Bazaev and Ruslan Davletukaev were uncovered.<sup>109</sup> According to Aminat Estamirova, the remains of two more bodies were found in the well; as of July 9, those bodies had not yet been identified.<sup>110</sup>

Zura Davletukaeva told Human Rights Watch she identified the body of her son by his pants and shoes. His upper body and head were never recovered.<sup>111</sup> Davletukaeva provided Human Rights Watch with seven pictures of the remains of at least two bodies found in the well. Four pictures show the legs and shoes identified as those of Ruslan Davletukaev. Also visible is a messy mixture of grass, human tissue, and internal organs.

### **The Torture and Extrajudicial Execution of Bislan Khasaev**

Human Rights Watch received credible evidence of the torture and summary execution of Bislan Khasaev, reportedly a rebel fighter close to Arbi Baraev.

Russian troops detained Bislan Khasaev on June 22. An eyewitness, "Umar Chadaev," whom Human Rights Watch interviewed about his own detention (see below) confirmed that he saw Bislan Khasaev on June 23 at the military commander's office.<sup>112</sup> He said that soldiers lowered Khasaev into a pit where he was held on June 23 during the day. That same night, the soldiers took Khasaev out of the pit, after which the eyewitness did not see him again. Chadaev said soldiers had subjected Khasaev to the same torture he himself had faced (see below).

On June 24, soldiers came to Mariat Khasaeva's house and confirmed that they had detained her son. She told Human Rights Watch:

At 1:30 p.m., two APCs and one Ural truck full of soldiers stopped at our house. They asked: "Who is Khasaev?" I said that I am Mrs. Khasaeva. They asked me where we could talk. I asked them what they wanted... They said: "We have detained Bislan." I asked where. They said it was none of my business. So I said, "What do I have to do?" They said: "We'll give Bislan back in an

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<sup>106</sup> Ibid.

<sup>107</sup> Ibid. Davletukaeva did not specify the date of this spontaneous protest.

<sup>108</sup> Ibid.

<sup>109</sup> Ibid.

<sup>110</sup> Human Rights Watch interview with "Aminat Estamirova" (not her real name), Nazran, Ingushetia, July 9, 2001.

<sup>111</sup> Human Rights Watch interview with Zura Davletukaeva, Nazran, Ingushetia, July 12, 2001.

<sup>112</sup> Human Rights Watch interview with "Umar Chadaev" (not his real name), Sleptovsk, Ingushetia, July 3, 2001.

hour, and Aslan [her other son, who was detained on April 29, 2001 and subsequently “disappeared”] in four hours by helicopter. I said, “What are your conditions?” The eldest one said: “Give us Baraev or his dead body.”<sup>113</sup>

Khasaeva told Human Rights Watch she was given four hours to produce Baraev to the soldiers. She said she told the soldiers that was an impossible condition. The soldiers then told her she would not see her sons alive. When leaving, one of the soldiers told her that she could pick Bislan’s body up from the military commander’s office.

On June 25, Khasaeva went to the military commander’s office to look for her son’s body. She said she was met by the troops who are normally based in Alkhan-Kala and who did not participate in the sweep operation.<sup>114</sup> One of them brought her to a little hill and helped her excavate a fresh grave, which was only about thirty centimeters deep. The soldier dug up three bodies; Khasaeva recognized the first as her son.

She said her son had been shot through the head, just above the right eye, and two more times on the left side of the chest. His right arm, which was unnaturally positioned behind the back, had been dislocated or possibly broken. Khasaeva also said his legs and chest were severely bruised.<sup>115</sup>

Khasaeva said that people from the village told her the two other men found in the makeshift grave were brothers from Urus-Martan named Rustam and Rakhman. She did not know their last names. She believed their bodies had already been in the grave for a while, as they had started to decompose. She said both bodies were headless and had been wrapped in canvas.<sup>116</sup>

### **Other Bodies Found in Makeshift Graves**

Human Rights Watch received information regarding the discovery of four makeshift graves in and around Alkhan-Kala in the immediate aftermath of the sweep operation. These graves contained around twenty corpses, including those of the six men who were summarily executed, six men who apparently died during the June 21 battle in central Alkhan-Kala, and possibly the two associates of Baraev who were reportedly killed on June 22. Human Rights Watch has not been able to obtain any information on the identities of the other six dead.

### **Torture and Other Ill-Treatment**

Human Rights Watch researchers conducted detailed interviews with three men who were detained and tortured during the second half of the sweep operation in Alkhan-Kala. Each of these former detainees recounted being severely beaten and kicked. One said he had been subjected to electric shocks and asphyxiation. Another said he was repeatedly threatened with execution. Each of the former detainees indicated that dozens of other men held with them were subjected to similar treatment.

Human Rights Watch also received several second-hand accounts of torture and other ill-treatment, in particular from women who waited outside the military commander’s office for the release of their relatives. These women saw the condition in which numerous detainees were released and spoke to some about their treatment. For example, Zura Davletukaeva told Human Rights Watch she saw a number of men who were released on June 21 as she was waiting to hear news about her son. She said they had been severely beaten and said they were subjected to electric shocks.

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<sup>113</sup> Human Rights Watch interview with Mariat Khasaeva, Nazran, Ingushetia, July 6, 2001.

<sup>114</sup> Ibid.

<sup>115</sup> Ibid.

<sup>116</sup> Ibid.

### *The Torture of Umar Chadaev*

Russian soldiers detained “Umar Chadaev” twice during the sweep.<sup>117</sup> On June 20 at around 10:00 a.m., ten to fifteen soldiers entered the courtyard where Chadaev and his family were staying. The soldiers told Chadaev and his cousin that they would detain them, run their names and passport numbers through a computer, and then release them in the evening. Chadaev told Human Rights Watch the soldiers behaved properly and did not use any offensive language or violence. The soldiers took the two men to the military commander’s office. At the military commander’s office, Chadaev said he was questioned for about thirty minutes and “beaten a bit.” After the interrogation, he was taken into a large house where there were many—Chadaev estimated hundreds—of other detainees. Chadaev was not questioned further once he was taken into the house. But, he said, soldiers took others outside from time to time and beat them. In the evening, the soldiers started releasing the detainees in groups of ten. Chadaev said the soldiers returned his passport and released him at around 9:00 p.m.

On June 22, the soldiers again came to Chadaev’s house. After checking his passport and that of his cousin, the soldiers sat the two men down near a wall. They subsequently searched the house. Chadaev said that as soon as the soldiers came out of the house they ordered the two men to lie down on the ground. The soldiers bound their hands behind their backs and pulled their shirts over their heads. They then put the men on an APC and drove them to the military commander’s office, where the soldiers told him he had five minutes to remember where Baraev and his group were. He described his interaction with one soldier:

He said, “If you want to go home, we’ll give you five minutes. I am a nice guy. The bad guys are over there. If you don’t answer my questions, we throw you to the bad guys. You’ll tell them anything.” When five minutes had gone by, he came up to me: “Well, have you remembered [where Baraev and his group are]?” [I said:] I don’t know anything.” Then they took me and threw me over there [to the ‘bad guys’].

The soldiers took Chadaev into the house and removed his shirt from his face. They started to beat him and demanded information on Baraev and his group. He said the soldiers punched and kicked him and beat him with a rubber hose and a metal rod used to clean the barrel of firearms.

After the interrogation, the soldiers put Chadaev into a pit in the ground on the premises of the military commander’s office. Chadaev said the pit was about one meter in diameter and two meters deep. The pit was covered and had a small door through which detainees were pulled out and thrown in. The pit did not have a ladder. Chadaev was held in the pit with seven other people, among them for some time Bislan Khasaev (see above). Chadaev believed there were other pits on the premises of the military commander’s office but did not see them himself.

Chadaev estimated soldiers pulled him out of the pit for questioning seven or eight times over the course of two days. Each time, he was taken into the military commander’s office to one specific room where the same group of soldiers abused him. According to his account, the soldiers beat him on the back, in the kidney area, on the legs, but not in the face. Chadaev said they also asphyxiated him and gave him electric shocks, but did not provide details. During each session, the soldiers asked the same questions about Baraev and his group. Chadaev said he was also questioned several times during the night.

In the evening of June 24, Chadaev was in the pit when someone he thought was a commander called his name. He responded. The commander replied: “Sit there a little longer, we’re going to release you.” Chadaev told Human Rights Watch that he did not believe he would be released but the commander pulled him out, returned his passport and released him.

Chadaev told Human Rights Watch that seven people were held with him in the pit. On the day following his release, the dead bodies of several of them, including that of Bislan Khasaev, were returned to their relatives.

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<sup>117</sup> Human Rights Watch interview with “Umar Chadaev” (not his real name), Sleptsovsk, Ingushetia, July 3, 2001. Unless otherwise indicated, all other information in this section comes from “Umar Chadaev.”

Chadaev knew the last names of only two of the other detainees: Ibragimov and Uadnazov.<sup>118</sup> He said the other men had not been locals. Human Rights Watch confirmed the death of Bislan Khasaev but has no further information on the other men.

### ***The Torture of “Arsen Musaev”***

Early in the morning of June 23 soldiers came to the house of twenty-two-year-old Arsen Musaev and woke him. They immediately started calling Musaev—who has a very dark complexion—an “Arab” and a “soldier of fortune.” According to Musaev’s account, the soldiers searched the house and checked the documents of all of the residents, including the women. Even though, according to Musaev, his papers were in order, the soldiers detained him and his elder brother.<sup>119</sup>

The soldiers put the brothers in an *avtozak*,<sup>120</sup> then drove to neighboring homes, where more men were detained. According to Musaev, the soldiers kicked and beat the detainees on the way. At around midday, the soldiers delivered fourteen detainees to the military commander’s office.

Musaev told Human Rights Watch an officer who did not identify himself questioned him and the other detainees one by one. The first interrogation lasted about fifteen minutes. The officer, who Musaev understood to be from the military intelligence service (GRU), asked him very general questions such as: “Where are the Arabs?” “Where are the mercenaries?” “Where are the weapons?” and “Where are the narcotics?” Musaev said he was not beaten during that interrogation.

Soldiers then forced Musaev to lie face down on the ground outside on the premises of the military commander’s office; others, he said, were forced to do the same. Several soldiers kicked him and the other men as they lay on the ground, and took their pictures as they lay there. After about an hour and a half, there was another round of questioning, this time by soldiers Musaev had not seen before, and during this interrogation Musaev was severely beaten. He said the soldiers hit him over the head, threatened him with a knife, and hit and kicked him with their fists, boots, and rifle butts. His tormentors wanted to know where Baraev and Khattab were hiding and wanted him to sign various papers, including his own death sentence.<sup>121</sup> He thought this interrogation lasted about one hour.

In the evening, the majority of the detainees at the military commander’s office were released, among them his elder brother. According to Musaev, eighteen detainees, including him, spent the night in detention. Musaev believed that six or seven detainees were sent to Khankala that day and that one was sent to Chernokozovo, a pre-trial detention facility. He did not know any names.

The next day, the soldiers told Musaev they wanted an automatic weapon in exchange for his release; otherwise he would be sent to Khankala. That same evening, at around 11:00 p.m., the soldiers released Musaev and twelve other men, but only after Musaev had signed a statement that he had no complaints about his treatment in detention.

### ***The Torture of “Suleiman Zubaev”***

A Human Rights Watch researcher interviewed Suleiman Zubaev two days after his release, on June 30, in Ingushetia. He had a severely swollen nose, both eyes were blacked, and there was a long, thin bruise on the right side of his body in the kidney area. Zubaev had great difficulty getting up and walking.<sup>122</sup>

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<sup>118</sup> “Uadnazov” is not a Chechen name. It is unclear what name was meant.

<sup>119</sup> Human Rights Watch interview with “Arsen Musaev” (not the man’s real name), Sleptsovsk, Ingushetia, June 29, 2001. Unless otherwise indicated, all information in this section comes from “Arsen Musaev.”

<sup>120</sup> *Avtozak* is a colloquial term for GAZ 53, a prisoner transport vehicle with two compartments in the trailer that serve as holding cells.

<sup>121</sup> Khattab is a Jordanian born warlord who reportedly led a contingent of Arab fighters in Chechnya. The Russian government says it has evidence linking Khattab to Osama Bin Laden and his al Qaeda network.

<sup>122</sup> Human Rights Watch interview with “Suleiman Zubaev” (not his real name), Nazran, Ingushetia, June 30, 2001. Unless indicated otherwise, all information from this section comes from “Suleiman Zubaev.”

At approximately 1:00 p.m. on June 24, soldiers charged into the courtyard of Suleiman Zubaev's house near Stadionnaia Street. One group knocked down the gate, another group climbed over the fence. They immediately forced Zubaev to lay face down on the ground and put his hands behind his head. In the presence of his wife and small children, the soldiers kicked Zubaev in the head, in the kidney area, and elsewhere. This went on for a long time. When Zubaev's wife came out of the house, the soldiers hit her several times with the butts of their rifles and pushed her aside.

While some soldiers abused Zubaev in the courtyard, others searched the house. The soldiers then put handcuffs on Zubaev and loaded him on an APC. Zubaev said that, after his release, his wife told him how the soldiers had conducted the search. He said they had taken an electric generator, clothes, a television, a cassette player, and tapes. They had also taken an ax from the courtyard and destroyed his furniture.

At the military commander's office, Zubaev was forced to lie on the ground for an hour while soldiers kicked him. He said one of the soldiers put his foot on his neck and pressed down, calling Zubaev a "bastard" and a "bandit." Zubaev said there were several other people lying in a similar position near him. Among them was a boy who looked no older than sixteen, wearing only underwear and a t-shirt; he had been beaten badly. After about an hour, the soldiers forced the detainees to get up and clean the grounds of the military commander's office. Subsequently, the soldiers put the men into two cars, an avtozak and a truck.

After about one hour in the avtozak, Zubaev and thirteen of the detainees arrived at Khankala military base. The soldiers opened the door and took the detainees out one by one. The soldiers put handcuffs on him, then pulled a plastic bag (Zubaev called it a *kulek* in Russian) on his head that fit very tightly, making it hard to breathe. In the meantime, he said, soldiers based at Khankala came running up, yelling, "They brought in new bandits!" and started beating and kicking him. The soldiers led Zubaev to a pit, which he described as three by four meters wide and about four meters deep. The sides of the pit were covered with wooden boards, and there were old mattresses and earth on the bottom. The top of the pit was also covered. There was a little door in the cover, approximately fifty by seventy centimeters and a ladder to go up and down. Zubaev said the soldiers put eight people in his pit. Zubaev said that at the bottom of the pit he and his fellow detainees found the detritus left by previous detainees, including a bottle with urine and some empty tins.

At around 8:00 p.m. that same evening, the soldiers started leading the detainees one by one to interrogations. Zubaev recounted:

They opened the little door and yelled down: "Heads down, hands behind the heads." The soldiers then started to take the detainees out of the pit, one by one. They called a detainee by name and said: "Sit down on your knees. Face the wall." Then [the soldiers] lowered themselves into the pit with a pair of handcuffs and the plastic bag and put them on [us]. Once out of the pit, the soldiers pressed your head down so you bent over and took you to the *palacham* (executioners).

Zubaev said the soldiers took him to a place about fifty meters from the pit and forced him to sit down near a wall. One of the soldiers put his gun to Zubaev's head and said: "Well, *kozel* (goat), are you going to talk?" According to Zubaev, three men in masks conducted the interrogation. One was sitting at a table and writing, one stood by with a gun, the third beat him. Zubaev said the men accused him of being a rebel fighter, asked for information about his neighbors, and asked for information on specific individuals. Every time he gave an unsatisfactory answer, the soldiers beat and kicked him. They also put psychological pressure on him, threatening to blow him up with a grenade. Zubaev said the interrogation lasted for about twenty minutes and ended abruptly. That same night, the procedure was repeated at 3:00 a.m. Over the next three days, Zubaev and the other detainees in his pit underwent the same procedure approximately three times per day.

On June 28, the soldiers started taking Zubaev and his fellow detainees out of the pit, saying, "You have lived your life (*vy svoe otzhili*)," and loaded them into a car. The soldiers took away two of the detainees, a young



Chechen and an elderly Russian from Chernoreche. Zubaev did not know what happened to the two men. The car with Zubaev and five other detainees drove a short way and stopped. Zubaev thought the soldiers were taking him to an execution site. The soldiers unloaded the detainees from the car and took them down into a basement.

In the basement, the soldiers put the six men with their faces toward the wall. Then they took the plastic bags off the heads of the detainees. When the bag had been removed, Zubaev noticed that the basement was a sort of fitness center. Zubaev said the soldiers filmed him on video and then put the plastic bag on again. They then forced him to sit down and started beating him. After filming each of the six detainees, the soldiers abused the men psychologically, saying they would shoot them all with silencers. The soldiers then lowered the detainees into another pit, in the basement. Zubaev had no idea what the normal purpose for the pit was. He said it had concrete on the bottom. In the pit, Zubaev and the others realized that there were only four of them. Zubaev had no idea what had happened to the other two men. He did not know their names but said they were from Alkhan-Yurt and Gekhi.

After about thirty minutes, the soldiers pulled the detainees out of the pit and loaded them once again into a vehicle. They then drove the men into the Zavodskoi district of Grozny. There, the soldiers took off their handcuffs, dumped them, and drove away. Zubaev left Chechnya the day after his release and traveled, through Ingushetia, to an undisclosed destination in Russia to seek medical help.

### ***The Torture of “Musa Muradov”***

Human Rights Watch interviewed “Aset Murdalova,” a relative of “Musa Muradov.”<sup>123</sup> According to her account, at about 3:00 a.m. on June 22 or 23, soldiers in an APC pulled up to Musa Muradov’s house and knocked on the tall iron gate. When Muradov’s wife opened the gate, the soldiers slapped her against the brick wall, and she fell down. Soldiers then hit her in the face several more times. When Muradov himself came out of the house—he had apparently been dressing—the soldiers started beating him as well. Aset Murdalova, who witnessed it all from the staircase of the house, said the soldiers beat Muradov in the face. The soldiers then took Muradov away, apparently to the military commander’s office.

Human Rights Watch was unable to interview Musa Muradov himself; his relatives were too frightened to inform our researchers of his whereabouts. Relatives were also unable to provide Human Rights Watch with detailed information about his time in custody. Muradov did reportedly tell relatives that he was taken to Khankala military base. According to his relative Murdalova, others of his relatives paid a ransom for Muradov’s release on the fifth day of his detention. She told Human Rights Watch that those relatives had not revealed how much they paid but had indicated to her that it was a large sum of money in U.S. dollars. Muradov was released together with several other men from Alkhan-Kala for whom ransoms had also been paid.<sup>124</sup>

Murdalova said she saw Muradov and one of the other men who were released with him when they returned home. She said Muradov’s nose was severely swollen and his eyes bruised. He had to lie down because he was unable to sit, stand, or walk,<sup>125</sup> and she said that the other man was in a similar condition. Another witness confirmed to Human Rights Watch that Muradov was in very bad condition following his release.<sup>126</sup> All of the men who were released from Khankala military base that day apparently left Chechnya immediately, out of fear of being detained again and to seek medical help elsewhere.

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<sup>123</sup> Human Rights Watch interview with “Aset Murdalova” (not her real name), Nazran, Ingushetia, July 11, 2001.

<sup>124</sup> Ibid.

<sup>125</sup> Ibid.

<sup>126</sup> Human Rights Watch interview with “Aminat Estamirova” (not her real name), Nazran, Ingushetia, July 9, 2001.

## IX. THE SERNOVODSK SWEEP (JULY 2 AND 3, 2001)

Sernovodsk is a village in western Chechnya, approximately ten kilometers from the border with Ingushetia. After Russian troops were stationed in Sernovodsk in November 1999, the village was relatively peaceful for about eighteen months, and Human Rights Watch documented few serious abuses against civilians there.<sup>127</sup>

In addition to its permanent population of approximately 7,000 people, Sernovodsk for almost two years has also served as the temporary home for thousands of displaced persons from other parts of Chechnya.<sup>128</sup> Shortly after retaking the village, Russian government officials stated that displaced Chechens could safely return to Sernovodsk and, in early December 1999, announced they would build facilities for the displaced there.<sup>129</sup> In late June 2001, 2,611 IDPs were living in Sernovodsk in dozens of railway carriages, a former student home, and in private houses.<sup>130</sup>

### Chronology

On July 1, 2001, a remote-controlled mine exploded on a road three kilometers outside Sernovodsk, killing five Russian soldiers.<sup>131</sup> That same day, Russian soldiers came into the village and aggressively warned inhabitants they would conduct a sweep operation. They detained at least two young men (see below) and an elderly shepherd near the scene of the explosion. The shepherd was released the same day; the two young men were released a week later.

### July 2, 2001

On the night of July 1-2, Russian troops encircled Sernovodsk. Villagers said they heard the noise of military vehicles throughout the night and realized there would be a sweep operation the next morning.<sup>132</sup> As became apparent later, the soldiers set up a temporary overnight base just outside Sernovodsk along the road east to Samashki and moved military vehicles into town, blocking many intersections.

On the morning of July 2, the soldiers told villagers to stay in their homes. One eyewitness told Human Rights Watch that when she and her family got up at around 6:00 a.m. to take their cattle to the fields, several helicopters were circling the town and soldiers told them, "Keep the cows in the courtyard, don't go outside, you are surrounded."<sup>133</sup> She said at that time several helicopters were circling the town.<sup>134</sup> The soldiers also forbade the head of the village and regional administrations—who had, contrary to Russian internal regulations, not been informed of the sweep operation—to leave his offices during the sweep.<sup>135</sup>

Later that morning, the soldiers—often in uniforms without any form of identification and, by some accounts, drunk—checked homes and detained men all over town, often without as much as checking their identity papers. They also conducted checks at the temporary residences of IDPs. One IDP living in railway carriages told Human Rights Watch that the soldiers came with big attack dogs to check passports and detained a

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<sup>127</sup> One exception was the arbitrary shooting of Aпти Vagapov on October 23, 2000 during a sweep operation in Sernovodsk. See: Field Update on Chechnya, January 22, 2001.

<sup>128</sup> Figure provided by the Danish Refugee Council

<sup>129</sup> "Russian government to set up refugee camps in Chechnya," ITAR-TASS news agency, November 29, 1999, cited in BBC Worldwide Monitoring; "Russian minister lists places for safe return of Chechen refugees," ITAR-TASS news agency, December 8, 1999, cited in BBC Worldwide Monitoring.

<sup>130</sup> Figure provided by the Danish Refugee Council

<sup>131</sup> RIA Novosti news agency, July 1, 2001.

<sup>132</sup> Human Rights Watch interview with Zeinap Khajieva, Kavkaz I, Ingushetia, July 3, 2001.

<sup>133</sup> Ibid.

<sup>134</sup> Human Rights Watch interview with Zeinap Khajieva, Kavkaz I, Ingushetia, July 3, 2001.

<sup>135</sup> Letter from V.Kh. Arsamakov, head of administration of Sernovodsk, to S.V. Iliasov, prime minister of the Chechen Republic, dated July 4, 2001. On file at Human Rights Watch.

number of men.<sup>136</sup> The soldiers also came to the so-called *tekhnikum*, a building that once had housed students but at that time was in use as a residence for IDPs. Soldiers surrounded the building, searched it, and took the men out onto the street where they forced them to kneel on the sidewalk. One IDP estimated some fifty people were eventually taken away.<sup>137</sup> Villagers said that among the detainees were children as young as fourteen or fifteen years old. For example, a local schoolteacher told Human Rights Watch she witnessed the detention of two of her students, fourteen or fifteen years old, on Lenin Street.

A full APC drove up. They [the soldiers] were all sitting on top, the whole APC was full of them. In masks. Armed. They took those children. Their mother fainted and fell... The neighbors were saying: "Why are you taking them? They're not even fourteen or fifteen years old!" We all cried and screamed: "Don't take them!" They said: "We'll check their documents and release them."<sup>138</sup>

The boys were released that evening. They had apparently not been harmed.

Many villagers asserted that soldiers detained all males between fifteen and fifty-five.<sup>139</sup> The village administrator's account is different, though disturbing enough. Vakha Arsamakov, the head of administration of Sernovodsk, estimated that the soldiers detained 182 IDPs and 438 inhabitants of the town on that day—a large number, but not close to being all the males between fifteen and fifty-five.<sup>140</sup> Some villagers evidently avoided being detained by paying bribes to the soldiers or hiding.<sup>141</sup> Several witnesses also said soldiers had simply checked their papers and not detained them.

The soldiers took most of the detainees to the temporary base that they set up just outside Sernovodsk, not far from the mosque. According to villagers, soldiers had lined up military vehicles in a field and set up a tent camp. Many of the detainees were held in the field while others were taken into an unfinished or partially destroyed building with an open basement. Many of the men on the field were forced to lie face down. Others were forced to kneel on the ground without moving or speaking or face beatings as punishment. The soldiers randomly took detainees from the field or basement to military vehicles or tents where they beat them or subjected them to electric shocks.

In the meantime, female relatives of the detainees gathered at the edge of the field to demand the release of their relatives and were held back by tanks and dogs. When twelve detainees were loaded onto a bus for transportation to a detention center in Achkhoy-Martan, some of the women threw stones at the soldiers.

At around midnight, most of the detainees—with the exception of those transported to Achkhoy-Martan—were released. According to some eyewitnesses, detainees were permitted to go home on the condition that they voluntarily returned to the close-by mosque early the next morning.<sup>142</sup>

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<sup>136</sup> Human Rights Watch interview with Malika Sulimanova, Sputnik IDP camp, Ingushetia, July 6, 2001.

<sup>137</sup> Human Rights Watch interview with "Zeinap Yusupova" (not her real name), Sputnik IDP camp, Ingushetia, July 3, 2001.

<sup>138</sup> Human Rights Watch interview with Zeinap Khajieva, Kavkaz I, Ingushetia, July 3, 2001.

<sup>139</sup> See, for example, the letter from the head of administration of Sernovodsk to the prime minister of Chechnya.

<sup>140</sup> According to figures of the Danish Refugee Council, the male population of Sernovodsk consists 4,338 people, including 1,216 male internally displaced persons.

<sup>141</sup> Human Rights Watch interview with "Zura Zubaeva" (not her real name), Sputnik IDP camp, Ingushetia, July 4, 2001; and Human Rights Watch interview with "Adam Baisaev" (not his real name), Sputnik IDP camp, Ingushetia, July 3, 2001.

<sup>142</sup> Human Rights Watch was unable to establish exactly what happened at the mosque on July 3. According to one eyewitness, the soldiers had already left Sernovodsk by the time the men started gathering at the mosque as they had been told upon their release the previous day. Another source said the women raised such a storm at the mosque that morning that the soldiers decided to let the men go home. Human Rights Watch interview with Zeinap Khajieva, Kavkaz I, Ingushetia, July 3, 2001. Human Rights Watch interview with "Aslambek Azuev" (not his real name), Karabulak, Ingushetia, July 5, 2001.

### **July 3**

During the night of July 3-4, Russian troops conducted another operation at the railway carriages. Many of the IDPs panicked and fled to Ingushetia. A female IDP, who lived in one of the wagons, told Human Rights Watch that at 4:00 a.m. the soldiers came and started detaining men and searched her compartment thoroughly. They did not ask for any passports, she said, but simply took the men. She left the wagons afterwards and went to Ingushetia.<sup>143</sup>

According to another woman, the word that soldiers were randomly detaining IDP men without even looking at their identity papers immediately spread along the forty-odd railway carriages. She said she and many others decided not to wait for the soldiers but to flee.<sup>144</sup> A third woman, who said she was afraid that her brothers might be detained the next day, told Human Rights Watch she and her two brothers left at 3:00 a.m. and walked through the hills.<sup>145</sup> These women said they were part of a large group—one estimated several hundred people—that followed trails over the hills for about 90 minutes. Human Rights Watch interviewed them just days later in Ingushetia.

### **Torture and Other Ill-Treatment**

The testimony of former detainees, their relatives and numerous other villagers collected by Human Rights Watch researchers, as well as numerous written appeals from residents or IDPs from Sernovodsk to the local administration, reveal that dozens if not hundreds of detainees were subjected to torture or ill-treatment on July 2 and 3. Detainees suffered sustained beatings, electric shocks, and were forced to sit in painful positions for extended periods of time without moving. Several eyewitnesses said the older men were often treated worse than boys in their mid-teens.

Human Rights Watch conducted detailed interviews with four men who had been detained during the sweep in Sernovodsk and who said they had been beaten severely; three had also been subjected to electric shock. Human Rights Watch conducted further detailed interviews with the relatives of a fifth man, who was detained and ill-treated in various ways, including electric shock. Of the five detainees, two had been held at the temporary base outside Sernovodsk, two at the temporary police precinct in Achkhoy-Martan, and one in a pit not far from Assinovskaya. Two of the detainees were released the day of their detention, one a day later. The two others were held for one week.

Human Rights Watch also reviewed copies of fifty-one appeals from residents or IDPs from Sernovodsk to the local administration, concerning a total of twenty-nine detainees. With regard to twenty of these detainees, the appeals stated clearly that they had been ill-treated or tortured; one stated that the detainee had returned home in a “state of shock.”<sup>146</sup> According to the appeals, eleven of the twenty detainees were beaten for long periods; nine suffered electric shock; and five had been forced to kneel for hours with T-shirts over their eyes. One detainee was allegedly threatened with execution.

### ***The Torture of Bisultan and Muslim Barkhaev***

Soldiers detained the two brothers, as well as a shepherd, on July 1 immediately after the explosion that killed several soldiers on the road just outside Sernovodsk. The brothers told Human Rights Watch they had been looking for nuts in the area and were not involved in the explosion. The soldiers immediately brought them to the temporary police precinct in Achkhoy-Martan, where they were held in separate cells. The men were taken for questioning a number of times and, on the third day, experts checked their hands for traces of explosives.<sup>147</sup> It was unclear why this assessment was carried out only after three days.

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<sup>143</sup> Human Rights Watch interview with “Leila Larsanova” (not her real name), Sleptsovsk, Ingushetia, July 4, 2001.

<sup>144</sup> Human Rights Watch interview with Malika Sulimanova, Ingushetia, Sputnik IDP camp, July 6, 2001.

<sup>145</sup> Human Rights Watch interview with Svetlana Takhshova, Ingushetia, Sleptsovsk, July 4, 2001.

<sup>146</sup> The appeals did not refer to the treatment of seven detainees, and only one complaint indicated that the detainee was not ill-treated or tortured.

<sup>147</sup> Human Rights Watch interview with “Bisultan and Muslim Barkhaev” (not the men’s real names), Sleptsovsk, Ingushetia, July 15, 2001.

Both brothers told Human Rights Watch they were beaten and tortured on numerous occasions throughout the six days of their detention and gave detailed descriptions of some of the torture. A Human Rights Watch researcher examined their injuries approximately a week after their release: Bisultan had severe bruising on his back and bruises under both eyes; indeed his back was covered in long, horizontal bruises of a light brown or gray color and about one inch wide, giving it the appearance of being striped. The researcher also noted that the bruises were healing when viewed. Muslim showed little or no bruising, but had deep gouges on his wrists, the result of having been handcuffed.

Both men said they were subjected to electric shock on several occasions, although they provided details on its use only on Muslim. They described a little machine with a crank that soldiers used to generate a current. The brothers said the soldiers put wires in their mouths, attached them to their ears or taped them to their stomachs in the kidney area. According to Muslim, the soldiers once applied electric shock to his genitals, saying that they wanted to make sure he would not be able to have an erection in the future.

Once, by their accounts, soldiers forced Bisultan to watch the torture of Muslim with electric shocks. The brothers said that the soldiers put Muslim in an armchair, handcuffed his hands behind his back to the chair, and put a piece of fabric in his mouth. They then tied wires to the handcuffs, saying it would have a “marvelous effect,” and applied electric shock. Muslim said that he struggled against the electric shocks while handcuffed, and that this had produced the deep gouges on his wrists, which he showed to a Human Rights Watch researcher.

Both brothers said that, on the second day of their detention, three masked men tortured them, evidently with the aim of making them confess to placing the mine on July 1. The men forced Bisultan to sit down and handcuffed him; one forced his mouth open and put something in so he couldn’t lock his teeth. According to Bisultan, one of the men then started to file one of his teeth. Human Rights Watch could not confirm the damage when interviewing Bisultan. Muslim said that a police chief also questioned him that day. When he refused to confess to planting the mine, the police chief left the room and the three men in masks entered the room and beat him severely.

On July 7, the police officers forced the brothers to sign what they called an “amnesty decision.” The brothers were then taken to the procuracy office. On the way, police officers warned them not to tell the procuracy about the abuses they had suffered. Later that day, the two were released.

### ***The Torture of “Magomed Arsanukaev”***

On the morning or early afternoon of July 2, a group of soldiers came to “Magomed Arsanukaev’s” house to check his documents. Arsanukaev told Human Rights Watch that the soldiers behaved relatively properly: they checked the house, checked his documents and left.<sup>148</sup> A second group of soldiers stopped by the house around 4:00 p.m. They did not explain anything but grabbed Arsanukaev and threw him into a truck.

Along with other detainees already in the truck, and others added at the train station, he was taken to the temporary base outside Sernovodsk and then to a place near Assinovksaia. At around 8:00 p.m., Arsanukaev said, he and the others were taken off the truck and forced into a large concrete pit normally used for the production and storage of food for cattle (*silosnaia yama* in Russian). He estimated there were sixty detainees in the pit. The soldiers made them kneel with their hands behind their heads and did not allow them to get up. Arsanukaev said that when one of the detainees asked to be taken to the toilet, the soldiers threw stones into the pit and scolded the man for addressing them as soldiers rather than officers.

Over the next few hours, Arsanukaev said, the soldiers pulled out detainees one by one for interrogation; he was the twelfth or thirteenth to be lifted out of the pit. In a shed a number of officers asked him questions like “Where are the rebel fighters?” and “Where is rebel leader Khachikaev?” Arsanukaev said the officers struck him

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<sup>148</sup> Human Rights Watch interview with “Magomed Arsanukaev” (not his real name), Sputnik refugee camp, Ingushetia, July 7, 2001.

in the back with their rifle butts seven or eight times—not very hard—when he said he did not know the answers to their questions.

Next the officers applied electric shocks. Arsanukaev told Human Rights Watch:

They then attached a wire to my fingers and started to crank a little machine. They cranked the handle, and that caused the release of electric current. It was unpleasant and painful. They continued to torture me like that for about ten minutes, with breaks.

The officers eventually understood he was not going to tell them anything and took him back to the pit. Many, though not all, of the other detainees were subjected to similar treatment, he said: some of the older men were not taken out for questioning.

The next morning, soldiers pulled detainees out of the pit one by one. Arsanukaev's father and mother were present, but he was not able to talk with them, so he did not know if they had paid a ransom for his release. Once freed, he fled immediately to Ingushetia.

### ***The Torture of “Aslambek Azuev”***

In the morning of July 2, “Aslambek Azuev's” twelve-year-old son went with a little girl to a nearby kiosk to buy sugar. When they left the courtyard, soldiers approached and beat the boy about the head and back with their rifle butts. Azuev, witnessing the incident, ran to the children and tried to protect them, at which point the soldiers began beating him. When other relatives came running outside, the soldiers ripped a golden chain off his mother-in-law's neck and demanded that she hand them her earrings. They then left.<sup>149</sup>

Later that day, soldiers returned and arrested neighborhood men. Azuev said the soldiers put him and many other men in an APC and took them to a place where all detainees from the neighborhood were collected. The soldiers put some sort of bags over their heads there as blindfolds and loaded them into a military vehicle. Among the men in the vehicle Azuev was able to see, despite the blindfold, some who had already been beaten badly. The detainees were taken to the temporary base along the road to Samashki, where they were confined inside the foundations of an unfinished building. Nearby, Azuev saw special police vehicles with partitions and iron bars. He said the place was surrounded by tanks with their gun barrels pointed at the detainees, and that he heard screams of people from the adjacent field. Soldiers then forced him and the others to kneel with makeshift blindfolds over their faces. They were not allowed to move and risked beatings and kicking if they did.

Azuev said the soldiers took detainees one by one from the unfinished building into the police vehicles, from which he heard terrible screams, and he also was taken there. Inside the vehicle there was a metal bench. On the left and right hand side of the wall were hooks to which handcuffs had been attached. Azuev said he saw a lot of blood in the vehicle. He said his hands were put in the handcuffs on the walls. At first, he said, the soldiers hit him and started to ask him questions such as, “Who of your relatives is a rebel fighter?” When he answered he did not know, one of the soldiers apparently hit him with a nightstick in the stomach. He said he bent over and fainted. When he came to, he was back in the foundation. Other detainees told Azuev that they had been tortured with electric shocks in the vehicles.

Azuev was released late in the evening of July 2.

### ***The Torture of “Anzor Ulaev”***

Human Rights Watch interviewed Zeinap Khajieva, an aunt of Anzor Ulaev. According to her account, soldiers detained nineteen-year-old Anzor Ulaev at his home on July 2 and loaded him into a vehicle. The soldiers pulled his T-shirt over his head as a makeshift blindfold and handcuffed him, and then took him to a place he could not identify. He told his aunt that the soldiers had threatened him with an attack dog, telling him to “give a leg” to the dog on several occasions. He also said the soldiers subjected him to electric shocks three times.

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<sup>149</sup> Human Rights Watch interview with “Aslambek Azuev” (not his real name), Karabulak, Ingushetia, July 5, 2001.

According to Khajieva, the first two times the current was not strong but Ulaev said the third time he was thrown up into the air. The soldiers reportedly also beat him. Khajieva told Human Rights Watch that her nephew had one black eye and numerous bruises on his torso and legs when she saw him.

Ulaev was released that same night, together with most of the other detainees.

### **“Disappearances”**

Human Rights Watch received information on the “disappearance” of two men from Sernovodsk after they were taken into custody by Russian soldiers. The relatives of both men have actively but unsuccessfully sought information about their whereabouts. The Russian government has not provided a credible explanation of the fate of the two men.

Two men, Zelimkhan Umkhanov and Apti Isigov, “disappeared” after Russian forces took them into custody during the Sernovodsk sweep.

At about 12:00 noon on July 2, an APC stopped near Apti Isigov’s house on Pervomaiskaia Street. Several soldiers entered the yard where Apti Isigov and his cousin, Rustam Isigov, had already prepared their passports for an identity check. According to Rustam Isigov and one other eyewitness, the soldiers took their passports without looking at them, and ordered the two men into the APC.<sup>150</sup> The soldiers drove them to the temporary military base, picking up more men along the way.

At the temporary base, the soldiers brought the detainees to the basement of the destroyed building and ordered them to kneel. According to Rustam Isigov, about five minutes later an officer approached Apti Isigov and took him away.<sup>151</sup> From testimony of other detainees, Isigov relatives later learned that the officer put Apti Isigov back into an APC. These men, who were detained later that afternoon, told the relatives Apti Isigov was in the APC when they were put in the vehicle.<sup>152</sup>

At about 400 p.m., soldiers detained Zelimkhan Umkhanov and his brother, Jabrail, close to their home on Kotalova Street.<sup>153</sup> According to Jabrail Umkhanov, the soldiers separated the two men at that time, putting Zelimkhan into an APC. After the sweep operation, Taisa Isaeva, Zelimkhan Umkhanov’s wife, learned from released detainees that Apti Isigov was already in that APC.

Following the detentions, Apti Isigov’s mother and Zelimkhan Umkhanov’s wife went to the temporary base.<sup>154</sup> They stayed outside the base until after midnight, trying to secure the release of their relatives. The soldiers released most detainees, including Rustam Isigov and Jabrail Umkhanov, over the course of that evening but Apti Isigov and Zelimkhan Umkhanov were not among those released. The remaining detainees—according to the relatives, a bus full of people—were transported to Achkhoy-Martan.

The next morning, the women went to the temporary police precinct in Achkhoy-Martan. Police officials there showed them a list of approximately forty names of detainees that included Zelimkhan Umkhanov and Apti Isigov. However, when the next day the officials released Sernovodsk detainees, neither Isigov nor Umkhanov were among them. Moreover, the released detainees told the women that they had not seen Isigov and Umkhanov at the police precinct. The Achkhoy-Martan procurator later told the relatives that Isigov and Umkhanov had not been there.<sup>155</sup>

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<sup>150</sup> Human Rights Watch interviews with Tsaliapat Isigova (Apti Isigov’s mother), Nazran, Ingushetia, November 10, 2001 and with Rustam Isigov (Apti Isigov’s cousin), Nazran, Ingushetia, November 11, 2001.

<sup>151</sup> Human Rights Watch interview with Rustam Isigov, Nazran, Ingushetia, November 11, 2001.

<sup>152</sup> Ibid; and Human Rights Watch interview with Taisa Isaeva, Nazran, Ingushetia, November 10, 2001.

<sup>153</sup> Ibid; and Human Rights Watch interview with Jabrail Umkhanov, Moscow, November 15, 2001.

<sup>154</sup> Human Rights Watch interview with Taisa Isaeva, Nazran, Ingushetia, November 10, 2001; Human Rights Watch interview with Tsaliapat Isigova, Nazran, Ingushetia, November 10, 2001.

<sup>155</sup> Human Rights Watch interview with Taisa Isaeva, Nazran, Ingushetia, November 10, 2001.

Relatives have searched for Isigov and Umkhanov, but to no avail. They have contacted and petitioned numerous officials, including the local head of administration, the police, the local procuracy, the procuracy of Chechnya, and the General Procuracy, the office of Vladimir Kalamonov, and the OSCE Assistance Group to Chechnya. The procuracy has opened a criminal investigation but, as of this writing, the relatives of Apti Isigov and Zelimkhan Umkhanov have no information on their fate or whereabouts.

### Extortion

Several eyewitnesses told Human Rights Watch that soldiers engaged in extortion during identity checks in Sernovodsk. Some soldiers apparently demanded money from villagers for not detaining them or their relatives. Human Rights Watch had not previously received reports of such demands of “protection money.” In Sernovodsk several sources described the practice. For example:

- “Zura Zubaeva” told Human Rights Watch that soldiers came to Komsomolskaia Street and wanted to detain her neighbor’s three sons.<sup>156</sup> They loaded the three men onto a truck and forced them to sit on their knees. When the mother of the men fainted, the soldiers demanded money for their release. The parents agreed and paid, after which the sons were allowed to stay at home. Zubaeva did not know how much money her neighbors had paid the soldiers.

- A man from Sernovodsk told Human Rights Watch that his twenty-six-year-old cousin paid soldiers two hundred rubles (approximately seven U.S. dollars) to avoid being detained.<sup>157</sup>

In a complaint to the local administration, a woman from the *tekhnikum* IDP residence stated that some IDPs had paid 1,000 rubles (approximately thirty-five U.S. dollars) to avoid detention of their relatives.<sup>158</sup>

### Pillage

Eyewitnesses, media reports, and a letter from the local head of administration alleged widespread looting and wanton destruction of civilian property in Sernovodsk. Soldiers threw grenades into basements or lofts, damaged or destroyed vegetable plots, stole cars, electronic equipment, jewelry, cash money, and foodstuffs from the homes of civilians.

Eighteen of the fifty-one written appeals to the local administration that Human Rights Watch reviewed made allegations of wanton destruction of civilian property. Villagers complained that soldiers threw grenades into their basements or on their lofts (seven complaints), purposefully damaged or destroyed the vegetable plots in their gardens (four complaints) and deliberately broke down doors (two complaints). A further eleven villagers stated that the soldiers had “turned everything over” but gave no details.

Twenty-three of the fifty-one appeals made allegations of pillage or looting. Villagers complained of the loss of video or other electronic equipment (eight complaints), foodstuffs (five complaints), jewelry (four complaints), and cash in rubles or dollars (four complaints). Two market traders complained that the soldiers had taken their merchandise. Three villagers said soldiers had taken their cars, and two that soldiers had taken their car documents but left the car. The head of the local administration also expressed concern about theft and plunder of cars in his letter to the prime minister of Chechnya. He wrote:

They took vehicles that they liked and drove them to an unknown destination. Together with the vehicles, they took documents and keys. That way, a URAL-375 car, which belonged to the Imam of the region, Gaev Askhad-Khadzhi (the license plate number of the APC is known and the senior of the group introduced himself as Ivanov) and a UAZ-469 car, which belonged to

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<sup>156</sup> Human Rights Watch interview with “Zura Zubaeva” (not her real name), Sputnik IDP camp, Ingushetia, July 4, 2001.

<sup>157</sup> Human Rights Watch interview with “Adam Baisaev” (not his real name), Sputnik IDP camp, Ingushetia, July 3, 2001.

<sup>158</sup> Complaint to the local administration from Musaeva A.V., dated July 6, 2001.



Yasakov, were sitting at the edge of the village, robbed empty. Another GAZ-66 and six other cars are still missing.<sup>159</sup>

## **X. THE ASSINOVSKAIA SWEEP (JULY 3 AND 4, 2001)**

Assinovskaia is a village in western Chechnya, approximately ten kilometers from the border with Ingushetia. It has a profile like Sernovodsk: Russian troops took Assinovskaia in November 1999, and the village was relatively peaceful thereafter for about eighteen months. In November 2001, Assinovskaia had a reported resident population of 4,874 people, but for almost two years has also served as the temporary home for thousands of displaced persons from other parts of Chechnya.<sup>160</sup> Shortly after retaking the village, Russian government officials stated displaced Chechens could safely return to Assinovskaia and, in early December 1999, announced they would build facilities for displaced persons there.<sup>161</sup> In late June 2001, 4,548 IDPs were living in Assinovskaia.<sup>162</sup>

### **Chronology**

#### ***July 3, 2001***

The sweep operation in Assinovskaia was triggered by the July 1 explosion just outside Sernovodsk.<sup>163</sup> It started at around 5:00 a.m., as helicopters circled over the village and as military vehicles moved to block all intersections. The head of the local administration described the start of the operation as follows:

Early in the morning of July 3, with support of aviation, military servicemen, and Ministry of Interior units, military vehicles entered the village from three sides. Russian troops had already enclosed the village with a solid circle of tanks and other heavy military vehicles.

The first troop action was to block the administration and the local police precinct, after which police officers of the precinct were disarmed and taken to the filtration [screening] point at the temporary base of the troops. The head of administration was then disarmed and taken to the base of the troops.<sup>164</sup>

Checking homes, the troops rounded up large numbers of men between sixteen and sixty years old. Accounts differ as to whether the troops were under blanket orders to arrest all the men and boys of fighting age. Several eyewitnesses reported that soldiers told them they had orders to detain all males between fifteen or sixteen and sixty. Troops detained an unprecedentedly high number of men on July 3—most locals estimated between 600 to 800 men altogether.<sup>165</sup> Some villagers avoided being detained by paying bribes to the soldiers or hiding. Several witnesses also said soldiers had simply checked their papers and not detained them.

The detainees were taken out of the village to a partially destroyed building, possibly a farm, that Russian troops used as their base. Eyewitnesses said the building was located just across the bridge over the river Assa near the road to Bamut, about half a kilometer from the village. Many of the detainees said they were held there

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<sup>159</sup> Letter from N.D. Terkhoev, head of the local administration of the village Assinovskaia, to President Vladimir Putin, head of the Chechen administration Akhmad Kadyrov and others, dated July 6, 2001. Human Rights Watch has a copy of this letter on file.

<sup>160</sup> Figures provided by the Danish Refugee Council.

<sup>161</sup> "Russian government to set up refugee camps in Chechnya," ITAR-TASS news agency, November 29, 1999, cited in BBC Worldwide Monitoring; "Russian minister lists places for safe return of Chechen refugees," ITAR-TASS news agency, December 8, 1999, cited in BBC Worldwide Monitoring.

<sup>162</sup> Figures provided by the Danish Refugee Council.

<sup>163</sup> RIA Novosti news agency, July 1, 2001.

<sup>164</sup> Letter from N.D. Terkhoev, head of the local administration of the village Assinovskaia, to President Vladimir Putin, head of the Chechen administration Akhmad Kadyrov and others, dated July 6, 2001.

<sup>165</sup> According to figures of the Danish Refugee Council, the male population of Assinovskaia consists of 4,308 people, including 2,117 male internally displaced people.

for the rest of the day, first forced to lie down in the scorching sun with their hands behind their backs; some said they were thrown in pits or taken into the building. Five former detainees interviewed by Human Rights Watch indicated dozens of detainees had been beaten and tortured with electric shocks.

Looting and arbitrary destruction of civilian property also took place on a large scale. Soldiers stole or destroyed cars, took video and audio equipment, money, jewelry, and other personal belongings. In their rampage, the soldiers did not spare the local hospital or secondary school. They threw grenades into both buildings, looted safes in the school, and pilfered the medical supplies in the hospital.

Late in the evening, soldiers took the detainees in groups of ten to a field about one hundred meters from the partially destroyed building. One eyewitness estimated that, in total, the soldiers took about 200 men there. The soldiers released the detainees at the field but—for unclear reasons—told them to stay there until the sweep operation was over and promised to bring them water. According to eyewitnesses, however, many of the men decided not to wait in the field but walked about ten kilometers to the villages of Chemulga or Nesterovskaia in Ingushetia.

A group of twelve detainees was taken to the temporary police precinct in Achkhoy-Martan.<sup>166</sup> The men were apparently all released during the night of July 3-4.

#### **July 4**

The sweep operation continued on July 4, with soldiers again detaining large numbers of men. As before, the detainees were taken to the temporary base outside the village—many hundreds of them, according to one eyewitness.<sup>167</sup> Many of the detainees were forced to kneel for extended periods of time and were beaten or tortured with electric shocks. As far as Human Rights Watch is aware, most detainees were released that same evening, apparently at the same field as the night before. Human Rights Watch is not aware of any detainees being transferred to Achkhoy-Martan on July 4.

#### **Torture and Other Ill-Treatment**

Human Rights Watch conducted detailed interviews with five men who had been detained during the sweep in Assinovskaia. Two had been beaten severely and subjected to electric shocks. Two others had been beaten but, in their own views, not badly. One former detainee said he had not been beaten at all. Four of the men were held at the temporary base outside Assinovskaia and released the same day they were detained. The fifth man was initially taken to the temporary base but then transported to Achkhoy-Martan; he was released early the next morning. All five stated that many of the men they were detained with were subjected to ill-treatment or torture.

According to these men's accounts, they had been forced to sit in awkward positions with T-shirts pulled over their eyes or to lie in the sun for hours on end at the temporary base outside Assinovskaia; hundreds of fellow detainees were also forced to do so this. Any movement or sound was punishable with hits or kicks. While such treatment may not amount to torture, it does constitute cruel or degrading treatment in violation of international law.<sup>168</sup>

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<sup>166</sup> Human Rights Watch interview with "Salambek Sulumov" (not his real name), July 11, 2001, Sleptsovsk, Ingushetia.

<sup>167</sup> Human Rights Watch interview with Khamzat Sadaev, July 11, 2001, Nesterovskaia, Ingushetia.

<sup>168</sup> In its case law, the European Court of Human Rights has established a strict threshold for the legitimate use of physical force against detainees. In the case of *Ribitsch v. Austria*, the Court ruled that: "In respect of a person deprived of his liberty, any recourse to physical force which has not been made strictly necessary by his own conduct diminishes human dignity and is in principle an infringement of the right set forth in Article 3." (*Ribitsch v. Austria* judgment, December 4, 1995, para. 38.) In the case of *Ireland v. UK*, the Court held that forcing detainees to remain for periods of some hours in a "stress position" (in this case, the detainees were forced to stand spread-eagled against the wall with the fingers put high above the head against the wall, legs spread apart and the feet back, causing them to stand on their toes with the weight of their body mainly on the fingers) constitutes ill-treatment contrary to Article 3. (*Ireland v. UK* judgment, 1978, para. 96.)

### *Torture of “Salambek Sulumov”<sup>169</sup>*

Russian soldiers came to the Salambek Sulumov home on Kalinina Street on the morning of July 3. Despite protests from Sulumov’s father that his son’s papers were in order, the soldiers took Sulumov and his fifteen-year-old brother to the temporary base and forced them to squat near the door. Sulumov estimated that there were hundreds of detainees in the building, many of whom were also forced to squat. He said soldiers beat him “a bit” in the kidney area but said his treatment was not too bad, comparatively. After about five hours, Sulumov and eleven others were selected for transfer to Achkhoy-Martan. His brother was also released that day.

Sulumov said he and other detainees were taken to a three- or four-story building in Achkhoy-Martan that he believed to have been the military commander's office. The soldiers took them up a flight of stairs and forced them to squat in the corridor and bend forward. Then, one by one the detainees were taken into an office, where, according to Sulumov, they were all tortured. Sulumov entered the office where there were three soldiers who began torturing him. He said:

At first they started beating. For example, they beat me in the stomach. Then they took my hands and put them behind my back. Then someone put his shoes on my back and they tried to twist my arms. When I bent down, they beat me on the back of my head. One soldier was very strong. They asked me what happened with the explosion that happened before the sweep. The soldiers told me that I did it. He [the very strong soldier] started to beat me and kick me.

The soldiers then gave him electric shocks to his ears. Sulumov said the soldiers put him in a big chair and cuffed his hands under the seat so he could not slide out. Wires were then attached to his ears with tape, and later also to his teeth and the handcuffs. When the electric current was released through the handcuffs, he said there were many sparks. Sulumov said he had burn marks from the sparks for a week after his release. He estimated that the soldiers tortured him with electric currents over the course of about one hour, apparently stopping only because he lost consciousness. He told Human Rights Watch that when he woke, he was in a big room that was being used as a cell, along with other people from Assinovskaya.

Later that day, Sulumov said, he was tortured again. The same men as before once again put him in the big chair and started beating him, demanding that he confess. Sulumov said he broke the chair as he was trying desperately to free his hands; after that, the soldiers started beating him with sticks. They then asked him if he had any bad teeth and threatened to file down a tooth using an iron file. Sulumov told Human Rights Watch, “I tried to move my face. I shook it left and right. I did not give them a chance. They almost put the file on my teeth but then they gave up and again put a wire on my ear.”

A Human Rights Watch researcher who interviewed Sulumov eight days after his detention saw wounds on his wrists consistent with his having struggled against the handcuffs, two small burn marks on his left hand, and small wounds and bruises on his shins and back. He complained of pain in his elbow and ribs.

Sulumov said he and the other detainees were released from the Achkhoy-Martan detention facility at approximately 1:00 a.m. the next morning due to the efforts of the local head of administration. But at that hour the young men could not travel home due to the curfew. They stayed overnight at the Chechen police station. Sulumov was unable to leave even the next day as the soldiers had not returned his identity papers to him. He ended up remaining for three days.

### *The Ill-treatment of Ilies Iliasov<sup>170</sup>*

On July 3 between 4:00 and 5:00 p.m., soldiers came to Ilies Iliasov’s home on Proletarskaya Street. Iliasov, an internally displaced person from Goiskoe, said the soldiers commanded everyone in the house to go outside

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<sup>169</sup> Human Rights Watch interview with Salambek Sulumov, July 11, 2001, Sleptsovsk, Ingushetia. Unless otherwise indicated, the information in this section comes from Salambek Sulumov.

<sup>170</sup> Unless otherwise indicated, the information in this section comes from Ilies Iliasov, Human Rights Watch interview, July 10, 2001, Sleptsovsk, Ingushetia.

and then conducted a search, after which they detained Iliasov without so much as looking at his passport. According to Iliasov, another group of soldiers had checked his documents a few hours earlier and found nothing wrong with them.

After picking up more people, troops in the APC holding Iliasov drove across the river Assa to the temporary base. Upon arrival, Iliasov said, he was beaten with sticks and forced to lie down on the ground with his hands behind his head; many other detainees were lying in the same position, and soldiers told the men that if they got up, they would be beaten. The soldiers later divided the detainees into younger and older groups. The older ones were taken into a building, the younger ones, including him, were thrown into the basement of the partially destroyed building. In the basement detainees were forced to squat; those who changed position were beaten.

He was released that same evening and fled to relatives in Nesterovskaia, a village across the border in Ingushetia.

### ***The Torture of Khamzat Sadaev*<sup>171</sup>**

Soldiers came to Khamzat Sadaev's house on Krasnopartizanskaia Street on July 4 at around 10:30 a.m. The soldiers checked the basement and then saw Sadaev trying to hide in the courtyard; they asked for his documents and detained him. Sadaev said he and his brother were loaded into a Ural truck and driven across the bridge over the Assa to the temporary base, where soldiers forced Sadaev to stretch his shirt over his head and started kicking him. They forced him into one of many large holes outside the partially destroyed building. Sadaev said he and dozens of other detainees were forced to squat in the hole for hours on end. By this time, Sadaev had been separated from his brother.

Toward the end of the day—one group of detainees from the pit had already been released—the soldiers pulled Sadaev out of the hole, led him aside a bit, and gave him electric shocks. Sadaev described a small crank machine with two wires attached to it and a handle on the right hand side. He said the soldiers attached the wires to his fingers and the area of his kidneys. Sadaev unsuccessfully struggled to remove the wires; the soldiers beat him over the head and applied the current. Sadaev estimated that the torture session lasted for about fifteen minutes, during which he was given shocks ten to fifteen times. He said the current made him feel pain in his ligaments. When the current stopped, he said, "I felt like I awoke again." Sadaev said the soldiers wanted him to tell them where rebel fighters were hiding and where they could find their weapon depots.

Immediately after the shock treatment, the soldiers released Sadaev and approximately twenty other detainees. It was approximately 11:00 p.m. when the soldiers took them to the road and left them there. Sadaev said he walked straight home; his brother was also released that evening.

Sadaev fled to Ingushetia the following day.

### ***The Ill-treatment of Adam Estamirov*<sup>172</sup>**

Soldiers came to Adam Estamirov's house at around 10:00 a.m. on July 3. Estamirov and his two cousins tried to hide to avoid being detained. But when the soldiers started checking the passports of the women in the courtyard and one of them cried out, Estamirov left his hiding place. "I saw lots of soldiers," he told Human Rights Watch. "I tried to explain that my documents were in [the refugee camp] Sputnik, but they didn't even look at our passports. They just said: 'Come with us.'"

The soldiers loaded Estamirov into an empty truck and put his shirt over his head as a makeshift blindfold. Inside the truck, the soldiers started asking Estamirov "crazy questions" such as "Where is [rebel leader Ruslan] Gelaev?" The truck then drove across the bridge to the temporary base. At the destroyed building there, the

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<sup>171</sup> Human Rights Watch interview with Khamzat Sadaev, Nesterovskaia, Ingushetia, July 11, 2001. Unless otherwise indicated, the information in this section comes from Sadaev.

<sup>172</sup> Unless otherwise indicated, the information in this section comes from Adam Estamirov, Human Rights Watch interview July 8, 2001, Sleptsovsk, Ingushetia.

soldiers forced Estamirov to kneel and kicked him in the back. Then they forced him into a pit with two other men, and he was kept there for about one hour, during which soldiers bullied him a few more times asking him whether he was a “Wahabbi” and kicking him when he said he was not.<sup>173</sup>

Then, he said, “They took me into a room... There were about fifty guys there. They examined my body and found scars—I have scars from an operation. They were very rude to me.” However, Estamirov said the soldiers for the most part left him alone for the five or six hours he was to spend in the building. Toward the end of the day, the soldiers examined his body again, asked him more of the same questions and looked at his papers. Estamirov told Human Rights Watch he considered himself lucky as he was treated better than many of the other detainees.

Late in the evening, as it was getting dark, the soldiers took Estamirov and about two hundred other detainees to the field about one hundred meters from the temporary base and told them to wait there until the sweep was over. Estamirov and some others decided to walk to Chemulgi in Ingushetia. They arrived there late at night and local villagers provided them shelter.

### ***The Ill-treatment of Vakha Davletukaev***

Soldiers detained “Vakha Davletukaev” on July 4. He told Human Rights Watch that soldiers had already come to his home three times before, each time checking his documents, and had behaved properly.<sup>174</sup> When the soldiers came for the fourth time and told him they would detain him, Davletukaev protested that he had been checked several times and that his papers were in order. The soldiers apparently told him: “They check, we detain.”

The soldiers took Davletukaev to the temporary base, into the partially destroyed building. He said they forced him to kneel, pulled his shirt over his head as a makeshift blindfold, and told him to keep his hands on his head. He was forced to sit in that position until the evening and was not allowed to get up. Davletukaev said he was not beaten himself but heard the cries of other detainees from the adjacent rooms.

The building was made up of several different rooms. He estimated that there were between fifty and sixty detainees in his room, and more in the other rooms. He said he could see the legs of some detainees in one of the other rooms through a narrow crack in his shirt. There were apparently also women among them who, he said, were wearing slippers.

The soldiers released Davletukaev after 8:30 p.m. in a group of around thirty people. He said the soldiers took them to the road and left them there. Other similar-sized groups were also taken to the road. The soldiers warned the men—by Davletukaev’s estimate a total of about 120 people—to get away from the village quickly and told them they would regret it if the soldiers found them in Assinovskaia the next day. Davletukaev said the men started to walk in the direction of Ingushetia. An APC drove alongside them up to the intersection of the roads to Bamut and Chemulgi. From that intersection, most—by his estimate between seventy and seventy-five people—continued to Chemulgi in Ingushetia, others went to Nesterovskaia (also in Ingushetia) or Sernovodsk.

### **Extortion**

Several eyewitnesses told Human Rights Watch that soldiers engaged in extortion during identity checks. Some soldiers apparently demanded money—usually around 500 rubles—from villagers in exchange for not detaining them or their relatives. In at least one case, a second group of soldiers detained two men for whom a bribe had been paid during an earlier check. According to the local head of administration, there were more such

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<sup>173</sup> Russians use the term “Wahabbi” as a derogatory term for Islamic “fundamentalists.”

<sup>174</sup> Unless otherwise indicated, the information in this section comes from “Vakha Davletukaev,” Human Rights Watch interview, July 7, 2001, Sputnik refugee camp.

incidents involving extortion of protection money.<sup>175</sup> Human Rights Watch had not previously received reports of such “preventative bribes.”

- Thirty-two-year-old Israil Khamzatov told Human Rights Watch that soldiers came to his courtyard on July 4. When he showed them his documents, the soldiers wanted to detain him. He told them they should not detain him because he was the only adult in a house with six children. He said: “When I told them about the six children they said it is not their problem, they only care about money... I made a deal with them... I gave them 500 rubles.”<sup>176</sup>

- Forty-one-year-old Lipkhan Gisaeva told Human Rights Watch of two similar incidents.<sup>177</sup> On July 3, soldiers came to Gisaeva’s house on Krasnopartizanskaia Street and wanted to detain her sister’s son. The sister paid them 500 rubles. On July 4, the soldiers came to the house again and, this time, wanted to detain Gisaeva’s son. She told Human Rights Watch she offered the soldiers a cow if they would leave her son alone. The soldiers then demanded 5,000 rubles in cash. In response to protests that she did not have such money, they told her to sell the cow. When Gisaeva was unable to produce the money, the soldiers detained her son.

- In a complaint to the head of the local administration, Kh. Khonukoeva, a woman from Assinovskaia, stated that she paid soldiers 1,000 rubles to avoid the detention of her two sons:

The soldiers were drunk and had dogs. They behaved rudely and used offensive language.... When they burst into my home, they wanted to detain my two sons. One of them is disabled, he was just recently released from hospital. I paid them 1,000 rubles for not taking my sons, 500 per son. They turned everything over in the house, broke things, and took with them a VCR, clothing belonging to my sons, and a clock. But they didn't take my sons.<sup>178</sup>

Later that day, another group of soldiers came to the house and detained the sons.

### **Pillage**

Several eyewitnesses, media reports, and a letter from the local head of administration alleged widespread looting and wanton destruction of civilian property by the soldiers. The soldiers went on a rampage of plunder and destruction in a local secondary school and in the local hospital. They threw grenades into basements, destroyed vegetable plots, and took valuables, such as VCRs, jewelry and money, and foodstuffs from the homes of civilians. The head of administration estimated that soldiers stole as many as ten motor vehicles belonging to civilians.

In a letter to Russian President Vladimir Putin, Nazarbek Terkhoev, the head of administration of Assinovskaia, complained that:

Explosives were thrown into residents’ cellars and basements, after soldiers first cleaned them of their contents, which they brought to their base. Belongings, up to ten vehicles, audio and video equipment, valuables, money, and other things were taken away. After that, the houses of inhabitants were exploded and torched.<sup>179</sup>

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<sup>175</sup> Letter from N.D. Terkhoev, head of the local administration of the village Assinovskaia, to President Vladimir Putin, head of the Chechen administration Akhmad Kadyrov and others, dated July 6, 2001. Human Rights Watch has a copy of this letter on file.

<sup>176</sup> Human Rights Watch interview with Israil Hamzatov, Nesterovskaia, Ingushetia, July 11, 2001.

<sup>177</sup> Human Rights Watch interview with Lipkhan Gisaeva, Sleptsovsk, Ingushetia, July 10, 2001.

<sup>178</sup> Letter to Kh. Vitaev, head of administration of the Sunzha province, from Kh. Khonukoeva, dated July 7, 2001. On file at Human Rights Watch.

<sup>179</sup> Letter from N.D. Terkhoev, head of the local administration of the village Assinovskaia, to President Vladimir Putin, head of the Chechen administration Akhmad Kadyrov and others, dated July 6, 2001.

From his own house, Terkhoev wrote, soldiers had taken an electrical generator and a car stereo.

Resident Ilies Iliasov told Human Rights Watch that soldiers came to check and search his neighbor's house on Proletarskaia Street on July 4 and took away some of the owner's chickens, as well as detaining the neighbor himself.<sup>180</sup> Libkhan Gisaeva told Human Rights Watch soldiers took two carpets and new luxury dishes from her house on Krasnopartizanskaia Street during one of the three visits they paid to her house on July 3 and 4. She said they also took a lot of her chickens.<sup>181</sup>

On the morning of July 3, the soldiers came to the town's secondary school No. 1. Medina Gudieva, the school director, described the actions of the soldiers in a letter to the village administration:

On July 3 of this year at 9:00 a.m., [federal soldiers] surrounded the school buildings from Bakina and Bershchanskaia Streets. They threw something into the windows. We heard explosions and the sound of breaking glass. They blew up all the offices, classrooms, workshops, the lunchroom and storage place.

They took a video camera, thirty-eight diplomas testifying to the completion of secondary education, sixty-three regarding partial secondary education from the safe. They took money—part of the teachers' salaries—60 thousand rubles [approximately US\$2,000] which I had not managed to hand out for obvious reasons; all stamps and seals; video equipment—a VCR and a television; a photo camera; a gas distribution system of the RG-32 type; two wall clocks; a mirror; a carpet (two by three meters).

They destroyed the entire school archive, the personal files of the staff and students, the classroom journals; protocols; books with orders; etc. The library and lunchroom were also destroyed and robbed.<sup>182</sup>

Gudieva said she tried to speak to the soldiers but was rudely turned back. She wrote: "I immediately wanted to meet with the soldiers that were on Bakina Street, but they threatened me in all sorts of ways and would not let me through using offensive, uncensored language, even though I introduced myself as the director of the school." She said the soldiers told her they were carrying out orders.

As a result of the rampage, Gudieva wrote, students were worried that they would not be able to continue their education because they do not have diplomas. Nazarbek Terkhoev estimated that forty-eight students were left without their diplomas.

Several Russian and international media also reported on the wrecking of the school.<sup>183</sup> Russian TV6 showed footage of the wrecked school on July 10, 2001, including a classroom where teachers had found an undetonated mine.<sup>184</sup>

Soldiers also went on a rampage in the hospital. According to eyewitnesses, soldiers wrecked hospital wards, smashed windows, and stole medical supplies. On July 10, Russian TV6 showed footage of the wrecked hospital, including a damaged hospital ward.<sup>185</sup> The head of the Assinovskaia administration wrote:

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<sup>180</sup> Human Rights Watch interview with Ilies Iliasov, Sleptsovsk, Ingushetia, July 10, 2001.

<sup>181</sup> Human Rights Watch interview with Lipkhan Gisaeva, Sleptsovsk, Ingushetia, July 10, 2001.

<sup>182</sup> Letter from Medina Gudieva, director of school no. 1 in Assinovskaia, to Nazarbek Terkhoev, the local head of the local administration, dated July 6, 2001.

<sup>183</sup> See also: Patrick Tyler, "Russian Troops Terrorize 2 Villages After Chechen Mines Kill 4," *New York Times*, July 11, 2001; Jonathan Steele in *Guardian*, July 18, 2001.

<sup>184</sup> TV6, Moscow, in Russian at 7:00 p.m., July 10, 2001, cited in BBC Monitoring Service, July 11, 2001.

<sup>185</sup> Ibid.

Equipment and medication was taken from the hospital; doctor's offices were blown up, as well as hospital wards and storage places; furniture was damaged, and an ambulance was stolen. The assistant manager [zavkhoz] and two hospital guards were taken to the filtration point where they were beaten.<sup>186</sup>

## **XI. OTHER JUNE AND JULY SWEEP OPERATIONS**

Russian troops also conducted sweep operations in Chernoreche and several villages in the Kurchaloi region in June and July 2001. Eyewitness testimony gathered by Memorial Human Rights Center, and to a lesser extent by Human Rights Watch, indicates that these sweeps were similar to those in Alkhan-Kala, Sernovodsk, and Assinovskaia.<sup>187</sup> Soldiers randomly detained fighting-age men, collected them at temporary bases just outside the villages, and ill-treated many of them. In the villages themselves, the soldiers looted homes and frequently destroyed property.

### **Mairtup (June 9, 2001)**

On June 8, two police officers died when an APC drove over a mine near Mairtup, a village southeast of Grozny. That same day, Russian troops sealed off the village and started a sweep operation that lasted two days. Memorial reported that on June 9 soldiers fatally shot a fourteen-year-old boy when he tried to run from them.<sup>188</sup> According to the head of the administration of Chechnya, Akhmad Kadyrov, 300 villagers were detained during the sweep.<sup>189</sup>

### **Tsotsin-Yurt (June 15, 2001)**

Russian troops surrounded the village of Tsotsin-Yurt, located southeast of Grozny, in the morning of June 15 and blocked all ways in and out. Helicopters then lowered paratroopers into the village. During the one-day operation, according to Memorial, the soldiers detained dozens of men and brought them to the outskirts of the village where most were beaten and ill-treated.<sup>190</sup> All but eleven of the detainees were released the same evening. Over the course of the next week, another nine detainees returned home. As of early July 2001, Memorial did not have any information on the remaining two detainees.

### **Kurchaloi (June 16, 2001)**

Early on the morning of June 16, Russian soldiers detained ten men in Kurchaloi in targeted operations.<sup>191</sup> Later that day, military vehicles drove into the village and blocked the entry and exit roads. During subsequent checks over two days, the soldiers detained around 120 men and openly looted civilian property. The detainees were taken to the outskirts of the village, where many were severely beaten. Memorial interviewed several men whose limbs had been broken in detention. The first evening, the soldiers released all but seven of the detainees. On June 21, villagers discovered five mutilated bodies in an old farmhouse not far from the village. Three of the bodies were identified as having belonged to men who were detained during the targeted operations early in the morning of June 16. Memorial believed the two other bodies also belonged to men who were detained that morning. The organization said in late June that it had information that the two other men who were not released on June 16 were still held in detention.

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<sup>186</sup> Letter from N.D. Terkhoev, head of the local administration of the village Assinovskaia, to President Vladimir Putin, head of the Chechen administration Akhmad Kadyrov and others, dated July 6, 2001.

<sup>187</sup> During its June and July 2001 research trip to Ingushetia, Human Rights Watch researchers primarily focused on gathering information on the Alkhan-Kala, Sernovodsk, and Assinovskaia sweeps.

<sup>188</sup> See: [www.memo.ru/hr/hotpoints/N-Caucas/kurcaloj/zac.htm](http://www.memo.ru/hr/hotpoints/N-Caucas/kurcaloj/zac.htm)

<sup>189</sup> Interfax news agency, June 26, 2001,

cited at <http://afnet.integrum.ru/artefact3/ia/ia5.dll?lv=5&si=aqfn2R&qu=10&bi=1269&nd=1>

<sup>190</sup> See: [www.memo.ru/hr/hotpoints/N-Caucas/kurcaloj/zac.htm](http://www.memo.ru/hr/hotpoints/N-Caucas/kurcaloj/zac.htm)

<sup>191</sup> Ibid.



### Chernoreche (June 28 and 29, 2001)

Russian forces encircled the village of Chernoreche on the outskirts of Grozny on the evening of June 28.<sup>192</sup> Early the next morning, they searched houses, randomly detaining, according to the estimates of several eyewitnesses, between 150 and 200 men. They took the men to a resort area near the water reservoir between Chernoreche and Aldi that served as a temporary base. Some detainees were forced to lie face down on the ground, while others were held in special vehicles equipped with cells. Eyewitness accounts suggest that many of the detainees were beaten and some subjected to electric shocks. All but about ten detainees were released late that same evening. According to eyewitness accounts, nine of the ten were taken to the military commander's office the next day and released. It was unclear whether the last detainee was charged with a criminal offense or also released.

Human Rights Watch obtained detailed information on the detention and torture of two Chernoreche residents, "Apti Aliev" and his cousin "Ali Aliev."<sup>193</sup> The soldiers arrived at the Aliev house at about 7:30 a.m. on June 29, took their documents, and led the two men outside to drive them away in an APC to a resort area (*profilaktoria* in Russian). They were held in a truck, which the soldiers nicknamed *the Limousine*. It contained three cells: a general cell for twelve persons and two small cells (called *stakan*, or cup, in Russian). Apti said he and his cousin were placed in the two small cells. Ali was then taken out of the vehicle for questioning. When he was brought back, Apti saw he had been beaten. The soldiers then took out Apti, led him to a place not far from the car, and started beating him. Apti did not provide any details. After the beatings, the soldiers put Apti in the larger cell. Ali was still in a single cell.

Some time later, the cousins, who were both blindfolded—their T-shirts had been pulled over their eyes—were taken out of their cells together and taken to the basement of a building. Apti said he and his cousin were put in different corners of the room. The soldiers then started interrogating Ali. Apti told Human Rights Watch:

During the questioning, one soldier opened fire. I thought they shot my cousin.... I just turned to my cousin's side and I saw [through the blindfold] that he was still there. They took him to the next room and ... questioned him. At that time I heard the second shooting. At that time I was sure that my cousin was hit because when they questioned him his voice abruptly stopped. He was silent. Ten to fifteen seconds there was no voice at all. After that he started to talk again.<sup>194</sup>

Apti said the soldiers filmed them from all sides and asked them questions about the Akhmadov brothers (a clan widely believed to have been involved in numerous kidnappings of foreigners, Russians, and Chechens between 1996 and 1999). The soldiers also tried to force the cousins to become informers. Apti said, however, that he was not beaten much during that interrogation. After the questioning, the soldiers returned the two men to their cells.

An hour or two later, the soldiers took Ali away from the cell again. When he came back, Apti said, he looked like he had been ill-treated. It was Apti's turn next. Apti could make out through his blindfold that the soldiers took him to the reservoir near the resort. He said the soldiers then started pushing him from one to the other. A third soldier tried to hit him in the nose but he ducked and covered his face with his hands. The soldiers then started to beat and kick him, causing him to fall. Apti said one of the soldiers sat on top of him and put out a cigarette on his left shoulder. A Human Rights Watch researcher examined the left shoulder about a week after the incident; a small burn mark there was slightly infected.

Apti said the soldiers wanted him to cooperate with them as an informer and to name rebel fighters. When he said he didn't know any names, the soldiers attached wires to his fingers and subjected him to electric shocks.

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<sup>192</sup> The information in this section comes from a Human Rights Watch interview with "Apti Aliev" (not his real name), Nazran, Ingushetia, July 7, 2001; and Memorial's website ([www.memo.ru/hr/hotpoints/N-Caucas/kurcaloj/zac.htm](http://www.memo.ru/hr/hotpoints/N-Caucas/kurcaloj/zac.htm)).

<sup>193</sup> Unless otherwise indicated, all information in this section comes from "Apti Aliev," Human Rights Watch interview, July 7, 2001, Nazran, Ingushetia.

<sup>194</sup> Human Rights Watch interview with "Apti Aliev," July 7, 2001, Nazran, Ingushetia.

Apti described a military field telephone the size of a shoebox with a handle that was cranked to generate electricity. He estimated that after fifteen to twenty minutes of electric shocks he agreed to cooperate. He said:

I had to say that I agreed to cooperate. They gave me one week. They said in one week that they would find me. They gave me a nickname and said that “you have to show up.” They said I had to give them addresses, names, whereabouts.

When he agreed, the soldiers took him back to his cell.

Apti told Human Rights Watch that although most detainees were released that evening, he, his cousin, and some seven or eight other men continued to be held and were beaten severely.

The next day, the soldiers took Apti, his cousin, and the other remaining detainees to the police precinct in Grozny’s Zavodskoi district. There the men were questioned and their fingerprints taken. After that all of them, with the exception of one man who apparently was on a wanted list were released from detention.

A week after his release, Apti had a burn mark on his left shoulder from the cigarette. There were five to ten scratches on his chest measuring two or three centimeters in length. According to Apti, the soldiers knocked a tooth out of his cousin.

## **XII. THE OUTCRY AND OFFICIAL RESPONSES**

As Sernovodsk and Assinovskaia are so close to Ingushetia, details of mass abuses committed during the sweep operations in the two villages started flowing into Ingushetia immediately after the operations took place. Russian print and electronic media paid ample attention to the abuses—for the first time in months, Russian abuses in Chechnya were a media focus.<sup>195</sup> Abuses in the villages also made the pages of European and U.S. newspapers, and correspondents for two leading Western publications visited the villages themselves.<sup>196</sup> Local Chechen officials became involved in demands for justice.

Nazarbek Terkhoev and Vakha Arsamakov, the heads of the Assinovskaia and Sernovodsk administrations respectively, met with Stanislav Iliasov, the prime minister of Chechnya, and Akhmad Kadyrov, the head of administration of Chechnya, on Thursday, July 5 to report on the sweep operations and tender their resignations. The men reportedly declared that their positions had become meaningless as Russian troops had not informed them of the impending sweeps and had locked them in their offices. Iliasov asked the two men to stay in their posts. In subsequent days, the heads of the Sunzha and Achkhoy-Martan districts also announced they would resign.<sup>197</sup>

On July 8, Akhmad Kadyrov inspected the villages. The following day, he made extraordinarily harsh public statements for a Russian appointee. He noted, for example: “The counter-terrorist operation is now directed against the peaceful population, not the bandits.... Our efforts to help stability and create conditions for the return of refugees have been thwarted by ill-conceived and criminal actions.”<sup>198</sup> Kadyrov accused soldiers of beating and robbing civilians. Ten days later, after prosecutors had detained six soldiers for excessively cruel actions, Kadyrov insisted that “generals should be held responsible too. Heads should roll here, in Moscow. Only then can we restore the people’s faith.”<sup>199</sup>

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<sup>195</sup> See for an overview of coverage in the Russian press: “Russian Media Mull Chechnya Abuses,” *BBC*, July 11, 2001.

<sup>196</sup> Jonathan Steele of the British daily the *Guardian* and Patrick Tyler of the *New York Times* visited the villages in the immediate aftermath of the operations and each interviewed victims of torture.

<sup>197</sup> Artyom Vernidub, “Pro-Moscow Chechens on the Verge of Revolt,” *Gazeta.ru*, July 10, 2001.

<sup>198</sup> Vladimir Isachenkov, “Moscow-appointed administrator of Chechnya accuses Russian forces of crimes,” Associated Press, July 10, 2001.

<sup>199</sup> Daniel McLaughlin, “Chechen Leader Demands Army Heads Roll Over Abuses,” *Reuters*, July 19, 2001.

The pressure to expose and punish abuses in Assinovskaia and Sernovodsk did not extend to abuses during other sweeps that occurred in the same period. Abuses committed during sweeps in Alkhan-Kala, Chernoreche, and Kurchaloi district were of a similar nature and gravity; in Kurchaloi, a local administrator tendered his resignation, Akhmad Kadyrov publicly mentioned abuses there, and Memorial published the findings of its trip to the region. However, neither Russian nor Western media interviewed any victims of abuses there. The Alkhan-Kala and Chernoreche sweeps remained entirely outside of the focus of Chechen officials and the media.

The first indication of the position of the Interior Ministry on the sweeps came when Minister Boris Gryzlov responded to allegations by Chechnya's Prime Minister Stanislav Iliasov that the law had been violated during sweep operations. Gryzlov stated that sweep operations "should be conducted and they are conducted with respect to the law regulating counter-terrorist operations."<sup>200</sup> On July 11, RIA Novosti news agency reported that senior officials of the Interior Ministry had warned other state officials not to make statements to preempt the results of the investigation into events in Sernovodsk and Assinovskaia. According to the news agency, top law enforcement officials "considered and still consider" such statements "unjustified."

The Ministry of Interior denied that abuses had taken place. Other officials from the Russian military and the office of President Putin admitted abuses had taken place in the sweeps in Sernovodsk and Assinovskaia but varied in their assessment of the seriousness of the abuses. There was little or no official acknowledgement of abuses during other June sweeps.

Military officials at first admitted large-scale abuses in the mid-year sweeps: On Wednesday July 11, Gen. Vladimir Moltenskoii, Russia's top military commander in Chechnya, told Itar-Tass news agency that his troops had committed "large-scale crimes" and "lawless acts."<sup>201</sup> But this assessment was soon amended: later that day the general told independent television station NTV:

I am unable to speak about crimes. I speak about violations at the level of ordinary soldiers or militiamen. Everything was planned correctly; everything was carried out in line with these plans; but some violations were committed.<sup>202</sup>

The general promised an investigation into the violations, the results of which would be made public. On July 14, he made another public statement about the sweeps in Sernovodsk and Assinovskaia, saying he had spent the day listening to people who alleged their rights had been violated during the operation. According to the general, the majority of the residents had provided "nothing to confirm them [the allegations]." He also said the heavy-handed tactics used during the sweeps had been provoked by the civilians themselves.<sup>203</sup>

Sergei Yastrzhembskii, the Kremlin's spokesman for Chechnya, was the first official from presidential circles to comment on the sweep operations. In an indirect admission of the abuses, he told RIA Novosti news agency on July 11 that Russian troops would have to change their behavior during sweep operations in Chechen villages or stop the practice altogether. Yastrzhembskii added, referring to the June sweep operation in Alkhan-Kala, that "pinpointed operations" under the command of the FSB, such as the recent "liquidation" of Chechen field commander Baraev and his group, are much more efficient.<sup>204</sup>

Vladimir Kalamonov visited Sernovodsk and Assinovskaia in late July. In an interview with the Russian paper *Vremya Novostei* (NewsTime), Kalamonov said the operations were conducted "harshly and at a very high emotional level" due to the "heinous murder of six or seven Russian soldiers."<sup>205</sup> He said that, in his opinion,

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<sup>200</sup> "Interior Minister Says Chechnya Clean-Ups Are Lawful," Interfax news agency, July 6, 2001.

<sup>201</sup> Vladimir Isachenkov, "Commander Admits Chechnya Crimes," Associated Press, July 11, 2001.

<sup>202</sup> NTV television, cited in BBC Monitoring Service, July 11, 2001.

<sup>203</sup> Russian Public Television (ORT), cited in BBC Monitoring Service, July 14, 2001.

<sup>204</sup> "Russian Troops to Stop Cleanup Operations in Chechnya," *RIA Novosti*, July 11, 2001.

<sup>205</sup> "Vladimir Kalamonov: I Think We'll Bring It To An End (la Dumai, My Doidem Do Tochki)," Online *Vremya Novostei*, No. 139, August 6, 2001.

“serious errors” had been made as local officials were not involved in the sweep. He predicted that the investigation into the sweeps would be finished in the near future.

President Putin spoke about the sweeps during a press conference with foreign journalists on July 18. Struggling to control his agitation, the president responded to a question about abuses by saying that one of the main tactics of “radical fundamentalists” was to provoke federal troops to strike back at peaceful civilians. Putin continued:

I am not convinced that federal troops always succeed in not falling for these provocations. I have said many times and can repeat once again: All that is done against the law, against the peaceful population, has to be found out and the culprits have to be punished.<sup>206</sup>

A few days earlier, Putin had told the Italian newspaper *Corriere della Sera* that “irregularities and abuses” are “perhaps, an inevitable consequence of the battle against terrorism.” He added that when the law is “voluntarily violated, we are ready to bring those involved to justice....”<sup>207</sup>

### Investigations

Prosecutorial agencies opened criminal investigations into abuses committed during the sweep operations in Sernovodsk, Assinovskaia and Kurchaloi region in mid-July. In late September, investigators said they had confirmed that fifty-eight people from Sernovodsk and Assinovskaia had suffered abuses, mostly damage to property. As of this writing, the investigations were ongoing. As far as Human Rights Watch is aware, no criminal investigations were opened into the sweeps in Alkhan-Kala and Chernoreche.

### *Sernovodsk and Assinovskaia*

The procuracy’s first reaction to allegations of abuses during the sweeps in Sernovodsk and Assinovskaia was one of denial. On July 7, Alexander Nikitin, deputy procurator for Chechnya, told media outlets that the sweep operations in Sernovodsk and Assinovskaia had been conducted “completely in accordance” with Russian legislation.<sup>208</sup> On July 10, however, Sergei Yastrzhembskii stated that a “preliminary investigation has shown that there have been certain violations” and that a criminal investigation had been launched.<sup>209</sup> In late July, Vladimir Kalamonov, presidential representative for human rights in Chechnya, told Interfax news agency that thirty investigators and prosecutors were working on the investigation.<sup>210</sup>

On July 16, Viktor Dakhnov, then Chechnya’s procurator, stated that the investigation showed that there had only been “individual violations” during the sweeps. He said “the violations were not of a mass character and the operation was not an orgy, as some media outlets portray it.”<sup>211</sup> Other officials, however, indicated that the procuracy had received over two hundred complaints from inhabitants of Sernovodsk and Assinovskaia.<sup>212</sup> Later that week, the procuracy ordered the arrest of six servicemen for offenses ranging from kidnapping and robbery to abuse of authority.<sup>213</sup> That same week, the commander of the federal forces in Chechnya issued a warning to the

<sup>206</sup> Andrei Zolotov, “Chechnya Triggers a Reprimand,” *the Moscow Times*, July 19, 2001.

<sup>207</sup> “Putin describes Chechen abuses as ‘inevitable,’” Agence France Presse, July 16, 2001. See for the original, Dragosei Fabrizio and Venturini Franco, “Sul vertice G8 no detto a Berlusconi mano dura contro tutti i violenti,” *Corriere della Sera*, July 16, 2001.

<sup>208</sup> Reported by Radio Ekho Moskvyy on July 7, 2001, [www.online.sovtest.ru/news/article.html](http://www.online.sovtest.ru/news/article.html)

<sup>209</sup> Vladimir Isachenkov, “Russian prosecutors launch probe into whether troops tortured Chechen civilians,” Associated Press, July 10, 2001.

<sup>210</sup> “Human rights ombudsman “satisfied” with Chechnya probe,” Interfax news agency, as cited in BBC Monitoring, July 31, 2001.

<sup>211</sup> Sergei Shargorodskii, “Russian investigators issue compromise report on troop abuses in Chechnya,” Associated Press, July 16, 2001.

<sup>212</sup> “Russia: Rights envoy critical of Chechen prosecutor’s office,” Itar-Tass news agency, as cited in BBC Monitoring, July 25, 2001.

<sup>213</sup> David McHugh, “Six Russian servicemen detained for alleged violations in Chechen sweep operation,” Associated Press, July 19, 2001.

deputy commander of the federal forces who had been responsible for the sweeps and suspended from duty the deputy commanders of the interior troops and the police troops pending completion of the investigation.<sup>214</sup>

As of this writing, many details of the still ongoing investigation remained unknown. In late September, however, Chechnya procurator Vsevolod Chernov gave Interfax some limited details. He said that according to investigators:

Fifty-eight inhabitants of Sernovodsk and Assinovskaia suffered abuses during the early July sweeps; four of these suffered bodily injuries; most others suffered material damage to their property.

He also said that investigators were looking into the disappearance of Zelimkhan Umkhanov and Apti Isigov.<sup>215</sup>

### ***The Other Sweeps***

On October 4, Human Rights Watch sent a letter to the procurator general's office detailing its findings regarding the sweep operation in Alkhan-Kala. On December 3, 2001, the procuracy of Chechnya forwarded the letter to the procuracy of the Grozny region for review on the merits.<sup>216</sup> Khadisht Vitaeva, the wife of one of the men who was extrajudicially executed in Alkhan Kala, told Human Rights Watch that after repeatedly petitioning officials the Grozny district procuracy finally informed her in November 2001 that a criminal investigation into her husband's death had been opened. As of this writing, it was unclear what progress had been made in the investigation.<sup>217</sup>

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<sup>214</sup> Russian Public TV (ORT), as cited in BBC Monitoring, July 16, 2001.

<sup>215</sup> [www.ntvru.com/russia/26Sep2001/58men.html](http://www.ntvru.com/russia/26Sep2001/58men.html)

<sup>216</sup> Letter dated December 3, 2001 from F.V. Kolochko of the procuracy of Chechnya to Yu.P. Dmitriev of the Grozny region procuracy. Human Rights Watch received a copy of this letter on January 24, 2002.

<sup>217</sup> Human Rights Watch interview with Khadisht Vitaeva, Nazran, Ingushetia, December 22, 2001.

## **XII. RECOMMENDATIONS**

### **To the government of the Russian Federation:**

*Investigate violations of international human rights and humanitarian law occurring during sweep operations.*

- Undertake a full and objective investigation into abuses committed in Alkhan-Kala during the June 19-25, 2001 sweep and in Chernoreche on June 28 and 29, 2001, and prosecute all military and police personnel, government officials and their agents found responsible for violations;
- Continue the investigations into abuses committed during the sweep operations in Sernovodsk and Assinovskaia and ensure that these investigations are conducted in an exhaustive and objective manner; prosecute all military and police personnel, government officials and their agents found responsible for violations;
- Undertake full and objective investigations into alleged abuses during other large-scale or targeted sweep operations and prosecute all military and police personnel, government officials and their agents found responsible for violations;
- In compliance with U.N. Commission on Human Rights (UNCHR) resolution 2001/24 (April 20, 2001), approve requests for invitations to the U.N. Special Rapporteur on Summary Executions, the Working Group on Enforced or Involuntary Disappearances, the Special Rapporteur on Torture, and other relevant special rapporteurs and working groups of the commission. Ensure that these thematic mechanisms have full access to the sites of sweep and other search-and-seizure operations, regular and ad-hoc detention facilities, sites of mass or makeshift graves, and official documents relevant to their mandates;
- In compliance with UNCHR resolution 2001/24, establish an independent national commission of inquiry that would ensure the effective investigation and prosecution of those responsible for violations of international human rights and humanitarian law. Its composition and operation should conform to international standards for national commissions of inquiry established in 2000 by the U.N. High Commissioner for Human Rights;

*Prevent abuses of human rights and international humanitarian law during sweep operations.*

- Instruct commanders of the United Group of Forces and all Russian Federation forces that are involved in sweep or other search-and seizure operations—including Ministry of Defense troops, OMON, Ministry of Interior troops, and Ministry of Justice troops—of the relevant principles of international human rights and humanitarian law and Russian criminal procedure that must be observed during sweep operations. In particular, they should be instructed that:
  - No one shall be subjected to arbitrary arrest or detention. An individual may be detained only when there is a “reasonable suspicion” that the person committed a criminal offense, and detention of the person is necessary to prevent commission of an offense or to prevent flight, or if one of the other grounds for depriving a person of his liberty, as provided for in article 5(1) of the European Convention of Human Rights is applicable;
  - A detention record must be kept regarding every detainee, as required by the *Cakici v Turkey* Judgment of the European Court of Human Rights (judgment of 8 July 1999, para. 105). This record should include information on the date, time, and location of detention, the name of the detainee, the reasons for the detention, and the name of the person effecting the detention;
  - Detainees must be informed of the grounds of arrest and any charges against them immediately, and should have immediate and regular access to lawyers of their own choosing;

- In accordance with article 122 of the Russian criminal procedure code, the procuracy must be informed in writing within twenty-four hours of any arrest, and must take action within forty-eight hours to either sanction or release the detainee;
  - Detainees should be informed of and granted the right to challenge their detention in a court of law, in accordance with article 220 of the Russian criminal procedure code;
  - Relatives of a detained person must be informed of the detention of their family member, the reason for and location of the detention, and must be allowed regular contact with detainees;
  - Detainees have the right to outside communication, including with the International Committee of the Red Cross;
  - No physical force may be used in respect of a detainee which has not been made strictly necessary by his own conduct;
  - No detainee may be extrajudicially executed, subjected to enforced disappearance, tortured or otherwise mistreated.
- Instruct commanders of the United Group of Forces that they bear responsibility for the implementation of the above-mentioned requirements, and that they will be held accountable for failure to ensure their general implementation throughout Chechnya;
  - Instruct all relevant Russian Federation forces that any violation of the above-mentioned requirements will be vigorously investigated, and that the perpetrators of such violations will be brought to justice;
  - Officials of the procuracy and local administration shall be present during all sweep operations; these officials should enjoy full freedom of movement during the sweep operation, including full access to any places where detainees are held;
  - Fully implement the Body of Principles for the Protection of all persons under any form of Detention or Imprisonment. In particular, fully observe the safeguards delineated in Principle 12.
  - Fully implement the U.N. Declaration on the Protection of All Persons from Enforced Disappearances, in particular regarding the requirements of article 10, to keep detainees in officially recognized places of detention; maintain accurate information on detainees and their places of detention; and to promptly inform family members of the place of detention.
  - Hold all detainees only in officially recognized places of detention. Cease the practice of secret detention even if it takes place on the premises of an officially recognized detention facility;
  - Make publicly available regularly updated figures on the number of individuals arrested and charged for security-related crimes in Chechnya, with information on the nature of their alleged crimes and the places of their detention. Maintain accurate registers of detainees' names and places of their detention, and make such registers readily available to detainees' family, counsel, and other legitimately interested persons;

#### **To the International Community:**

- Establish an international commission of inquiry to observe, investigate, and publicly report on violations of international human rights and humanitarian law in the armed conflict in Chechnya. Should the Russian authorities opt not to cooperate with or obstruct the work of the international commission, it should still convene hearings, hear testimony, and publish authoritative reports, thereby creating a comprehensive, independent record of violations.
- Governments should make compliance with UNCHR resolution 2001/24, in particular invitations to the relevant U.N. thematic mechanisms, a key element for cooperation in their bilateral relations with Russia. The extent of compliance with 2001/24 and other measures to address the human rights situation in Chechnya should be a priority agenda item for furthering ministerial and heads-of-state meetings with Russia.

## **Council of Europe**

- The secretary general of the Council of Europe should call for Russian procuracy officials to visit Alkhan-Kala to investigate the extrajudicial executions, torture, and ill-treatment, and mass arbitrary arrest that occurred there during the June 19-25, 2001 sweep operation. The secretary-general should instruct the experts seconded to the office of the Special Representative of the President of the Russian Federation for Human Rights in Chechnya to visit Alkhan-Kala in particular to investigate the alleged extra-judicial executions of six men. Once Russian authorities open a criminal investigation into the abuses, the secretary-general should instruct experts to scrutinize and report to him on progress made in the investigatory process;
- The secretary general should instruct the experts to scrutinize progress made in the official investigations into the sweeps in Sernovodsk and Assinovskaia, with a view to determining whether such investigations fully comply with the standards for investigations into alleged human rights violations developed in the case law of the European Court of Human Rights (see, among others, *Aksoy v Turkey*, Judgment of December 18, 1996, para. 98; *Aydin v Turkey*, judgment of September 25, 1997, para. 103; *Kaya v Turkey*, judgment of February 19, 1998, para. 107; *Kurt v Turkey*, judgment of May 25, 1998, para. 104; *Tekin v Turkey*, judgment of June 9, 1998, para. 66; *Yasa v Turkey*, judgment of September 2, 1998, para. 114). Other Council of Europe agencies should provide resources and expertise to assist in the analysis. The Council of Europe should inform the Chechen procuracy and the Procuracy General, as well as the Russian president, of any failure to uphold those standards;
- The secretary general should instruct the experts to scrutinize the conduct of detentions in Chechnya, with a view to determining whether methods employed by Russian state agencies are in accordance with article 5 of the European Convention on Human Rights. The information should be made available to other Council of Europe agencies competent to make such a determination, in particular the European Committee for the Prevention of Torture. The Council of Europe should inform the relevant Russian authorities of any finding that Russian forces have not upheld the standard required by article 5.
- The Parliamentary Assembly should also explicitly call on the above-mentioned experts to visit Alkhan-Kala to investigate the abuses documented in this report, and to scrutinize the investigations into the sweeps in Sernovodsk and Assinovskaia;
- The Parliamentary Assembly-State Duma Joint Working Group on Chechnya and the Joint Working Group established between the office of the special representative and procuracy officials should continue to monitor the process of accountability. Both bodies should as a matter of priority monitor the progress of investigations and prosecutions in relation to the sweeps in Alkhan-Kala, Chernoreche, Sernovodsk, and Assinovskaia, and should report regularly and publicly regarding their findings;
- As envisioned by its 1994 Declaration on Compliance with Commitments Accepted by Member States of the Council of Europe, the Committee of Ministers of the Council of Europe should set in motion a special investigation into Russia's compliance with its Council of Europe commitments. The Committee of Ministers should take into account previous reports to it by the secretary general and experts. These reports had concluded that Russia failed to respond adequately to the secretary general's request, pursuant to article 52 of the European Convention on Human Rights, for information on how the conduct of the Chechnya operation affected the Russian Federation's implementation of its commitments under the convention.

## **United Nations**

- The U. N. High Commissioner for Human Rights should continue her commitment to address human rights issues in Chechnya. She should continue to engage the Russian government on its implementation of resolution 2001/24, and should consider a return visit to the region that would include visits to sites of



recent sweep operations, as well as detention facilities and sites known to have served as ad-hoc detention facilities.

- The U.N. Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions, the U.N. Special Rapporteur on Torture, the U.N. Working Group on Enforced or Involuntary Disappearances and the U.N. Working Group on Arbitrary Detention should continue to pursue the visits mandated by resolution 2001/24.
- The U.N. Commission on Human Rights should adopt a resolution condemning ongoing abuses in the Chechnya conflict, calling on the Russian authorities to comply with previous UNCHR resolutions, and urging them to invite the above-mentioned U.N. thematic mechanisms to visit Chechnya.

### **Organization for Security and Cooperation in Europe**

- The OSCE Permanent Council should instruct the OSCE Assistance Group to Chechnya to, as a matter of priority, gather evidence of violations of human rights and humanitarian law committed in Chechnya; in particular, it should take the initiative to investigate the extrajudicial executions that occurred in Alkhan-Kala between June 19 and 25, 2001.
- The Assistance Group should be asked to report publicly on any such abuses and make recommendations to the Russian government to curb them.
- The Assistance Group should also make recommendations to the Russian government on accountability. It should closely monitor the progress of investigations into the sweeps discussed in this report. Such monitoring should take the form of regular queries to national, international, and nongovernmental entities for information regarding the progress of investigations and prosecutions and regular reports to the OSCE Permanent Council;
- OSCE member states should request that Russia report to the OSCE Permanent Council on efforts to hold accountable those responsible for the abuses during the sweeps in Alkhan-Kala, Chernoreche, Sernovodsk, and Assinovskaia.
- In accordance with the 1994 Code of Conduct on Politico-Military Aspects of Security, articles 30 and 31, the OSCE should insist on Russia's obligations to investigate abuses committed by Russian Federation troops in Chechnya and prosecute those found responsible. The OSCE should also insist that Russia keep the chair-in-office and the OSCE Permanent Council informed on progress in this regard.

## ACKNOWLEDGEMENTS

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*Europe and Central Asia Division*

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